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FOR THE DEMOCRAT.

LINES.

This, my dear sister, is thy natal day—
I've sat and mus'd upon it a long time,
Till visions of the past come thronging up
In long array, and memory is pain.
Seven years ago to day, I wrote to thee
A sister's wishes for thy future life,
Nor thought, alas, how soon that life would end.
Just fifteen years had blossom'd on thy cheek;
Thy heart was full of hope; and health, and joy,
To human eye, seem'd surely to be thine
Through many a coming year. I recollect
Full well, the smile that play'd upon thy face,
Upon that bright, Spring morning, as the clock
Bade thee and thy companions bend their steps,
O'er crusted snow-banks to the village school.
As the door clos'd behind the laughing train.
For one brief moment, I half wish'd to raise
The veil that hid the future from my view;
That I might see the coloring of thy life,
When fifteen more of its allotted years
Were numbered with the past.

Ere one short month, disease had found its way
To our beloved home, and one by one
Bent low beneath its power. By night, by day,
Thy cautious step was heard around the bed
Of sickness and of suffering. Care and toil
Seem'd nothing to thee, while they help'd to soothe
The smitten ones who languish'd by thy side;
And as in one the lamp of life grew low,
Thy fever'd cheek spoke more than words or tears.
But God had not design'd that thou shouldst weep
O'er a departed sister. Thou wert spar'd
To see her eye grow bright, as though with health;
And when the pleasing hopes of life prolong'd
Made every bosom glad, our heart was pierc'd,
In hour unlook'd for, and thou bidst thee down,
In silence and in quietness to die.
Upon thy brow there was no trace of pain;
Slumber seem'd stealing o'er thee, as 'tis wont
To steal upon an infant. But that sleep
Was never broken in the final hour.
It seem'd as though the spirit pass'd away,
While life yet lingered in the breathing form.
Thy gentle heart was spar'd the painful task,
To say farewell to those who lov'd thee here,
And the deep suffering of thine anxious friends,
To thee was all unknown. The midnight hour
Cloth'd the cold earth in gloom, and as it wan'd,
Shorter and shorter grew thy labor'd breath,
Till soon it ceas'd forever.

Sister, I saw thee laid
Within thy earthy dwelling, and I felt
When we retrac'd our way, that we had left
One of our household band to rest alone,
In solitude unbroken. But not long
Were thy remains permitted to repose,
Without a kindred bosom by thy side.
Ere the next Sun shed forth his latest beams,
The lov'd companion of thine early days,
Thy cherish'd sister, slept beneath the sod
"Lovely were ye in life, and even in death
Ye scarcely were divided."

Since then long time has fled, and on their graves
Summer's bright foliage has sprung up and died,
Even as ruby clad in their fresh blossom'd years.
But not like Summer's foliage, have they pass'd
From heart and memory. They will live in both,
Till all the band, of which they formed a part,
Shall slumber in the dust. ORTHONA.

Sumner, March 12th.

SCENES OF THE OCEAN.

BY A SEAMAN.

THE CONVOY.

We had been detained in Kingston Harbor for several days, waiting the departure of an English Convoy; the day of sailing had at length arrived, and we were wafted gracefully to sea, by the trade wind, which blew fresh and favorable and promised with its continuance a speedy arrival to the United States. The fleet was composed of at least forty sail; vessels of all nations who had like us sought the convoy's protection, from the many piratical cruisers at that time infested the shores of the W. India Islands. There might have been seen the clumsy Hollander, and the more fragile vessel of Spain, the large unwieldly Barque of Russia, and the light Feluca of the Mediterranean, the strong and handsome Englishman, and the beautiful fast sailing vessel of the United States, the high black lugger of Breman, and the low long cruiser of Portugal; all with their flowing canvass set; gracefully ploughing the green waves of the Atlantic. I had embarked in an American ship bound for the port of Baltimore, a truly noble vessel, and I felt a secret pride thrill my veins, as I cast my eyes along the tapering spars, suffering them to rest on well trimmed head rigging, and bellying topsail, there was not a brace stay, or haulyard but was drawn tight to its respective place, and the light foot ropes hung in graceful curves from the numerous yards in beautiful contrast from the running and stationary rigging. On deck every thing presented as neat an appearance as aloft, the guns were newly painted and bound to their places with widely plainted breeching, the deck had been cleared of every fibre of useless matter, and the running rigging hung from the cleets and belaying pines in beautiful coils. When I had finished my survey of her appearance, I turned almost involuntary towards the stern, and suffered my gaze to fall upon the *star spangled banner*, which rolled in graceful folds from the main graff—the guardian of all this beauty—the protection of all this elegance.

Our captain was a large and finely moulded man, but the most distant and tactic being I had ever encountered; he would stand for hours leaning over the taffrail and gazing in the deep blue ocean, as if he could read therein, some darkly fascinating page of futurity; his eyes were grey and deeply sunken, yet they glowed with an almost unnatural lustre, and seemed to search and be satisfied with your most secret thought with a glance; to a superficial observer, he appeared a being ill calculated to gain the affections of mankind, yet every one on board loved him, and appeared to take pleasure in executing his mandates; there was something so singularly and impressively interesting in the expression of his countenance, something so stern so noble, and so decisive, that I felt, as I gazed upon him, that his like I should never behold again. As my eyes fell from the banner of my country they encountered his; he had been observing me for some time, and I felt that his penetrating glance was master of my feelings. 'American,' said he, advancing, 'these hands were the first that ever raised yon proud banner to a gaff: I fought, bled and conquered under you stars and stripes and while the arm that first reared it is left me, it shall never be lowered to created man.' I could make no answer to his speech but I grasped his hand with a pressure which indicated far more than words could express; after a moment's pause he looked around to observe that none were within hearing, and again resumed, 'Yes, stranger, I once shot a man dead for laying his hands upon the halyards with the intent of striking that proud banner to a foeman.' A fierce, though animated light for a moment illumined his expressive eye, and then turning abruptly away, he strode to a distant part of the quarter deck, with a manner which seemed to forbid intercourse: this singular man made a deep impression upon me, I resolved to study him well during the voyage.

There was a general movement amongst the ship's company, and the eyes of all on board were turned towards the squadron, and then inquiringly on the captain, as if to hear and obey his commands.

His Britanic Majesty's ship Hyperion, had overhauled the squadron, and informed them by signals, the Duke of Clarence, now William the Fourth, King of England was on board.—In a few minutes the peak of every vessel in the fleet save ours, was lowered, and for a while nothing was heard on the wide waste of water, but the creaking of sheaves as the haulyards sped swiftly thro' the blocks; peak after peak, fell in honor of the royal passenger, but the gaff of our vessel was motionless, and reared its proud head, while all around had submissively fallen. When I learned the cause of this movment; I turned towards the captain and never shall I forget the ghastly smile that at that moment played around his lips. 'Fools!' muttered he, 'minions, to do homage to the boy whose father's foot is on their neck—by heavens I'd suffer death before my peak should bow to their effeminate pup of the purple,' and he cast his eyes jealously along the spotless canvass.

'John Bull seldom, allows such disrespect as this to go unpunished,' whispered Bob Barnacle, 'see they are lowering the yawl from the davitts for the purpose of boarding us, and if the judgment of an old seaman don't deceive him, we shall have some heaving of iron before this squal blows over.' 'I hope nothing serious may accure to us,' said I.

The naval veteran shook his head importantly as he answered, 'the captain is like a Dutch lugger in a blow.' As the veteran concluded, he moved away, leaving me to conjecture the meaning of his mysterious sentence. Again I turned my attention to the commander, for a moment he regarded the yawl as it left the ships side, and then folding his arms he continued to pace the quarter deck until its arrival. Our independent bearing had been perceived by the whole squadron, and the eyes of men, of more than one nation, were turned upon us with an eye of jealous curiosity, and a thrill of national pride traversed my veins I contemplated the proud sense of freedom we had so nobly displayed yet we had committed a daring, if not a rash action and there was no alternative but to follow it up manfully, or disgrace the proud pennons that floated over us, in presence of the citizens of almost all the christian nations of Europe, the dark man who paraded the quarter deck, was the sole being upon whom was rested the responsibility of our country's honor; his command might exalt us in the eyes of many a jealous rival or on the other hand it might render us an object of contempt and redicule; but at that moment I felt a certainty of conviction, that our commander would honorably finish the work he had so nobly begun. The English yawl had now arrived, and a young midshipman, arrayed in all the naval finery of his nation, ascended the ship's side, and sprang upon the deck.

'Are your peak haulyards choked, or has your mizen down hauls given away that you refuse to drop your gaff to his grace the Duke of Clarence?' asked he, as he gazed severally on those around in order to discover the commander.

'Neither, young man,' was the calm reply of our captain.

'Then why have you dared to insult the flag of Great Britain on the high seas?' demanded the youth with an impertinent and cocknied air. 'Are you not fearful that we will inflict the chastisement you richly deserve?'

A spark of anger flashed in the eyes of our commander, but it instantly passed away, and he calmly replied, 'no boy, I am not fearful of receiving punishment at your hands, nor shall my peak or banner ever be lowered to the cross of England, while I have life to loose in its defence.'

'By Saint George, Sir Rebel, you speak tauntingly of my country's prowess,' exclaimed the midshipman, 'more such language as that might tempt us to tear that rag of thine from the gaff and trample it beneath our feet.'

At this disegraceful allusion to our flag, the lips of our commander quivered with concealed rage, and turning to one of the sturdy seamen that lined the deck he vociferated, 'Barnacle, throw that man overboard.' 'Ay, ay! Sir,' exclaimed the veteran, and seizing the slight form of the midshipman, he hoisted him over the gunwale and plunged him into the sea beneath.

A roar of laughter ensued amongst the sons of Neptune, and even the British seamen were observed to chuckle with smothered delight, as they drew him dripping from the briny element and shoved off to return. When the yawl which contained the exasperated midshipman had arrived at the side of the British vessel, a general stir was observed on her decks; her long black yards were swung round, and her bow wore to windward in a straight line with our vessel, and it was evident by their movements that it was their intents to run us down and pour in a broad side. Studding sails, —were spreading in all parts of her wide extended rigging, and in a few moments every boom, mast, and stay, was clothed in its respective robe of flowing canvass, yet for nearly an hour, during which she had gained rapidly upon us, we continued our course without adding a sail to those with which we had cleared the harbor. Our commander who had hitherto stood silently regarding the advancing vessel turned to the seamen with the usual premonitory command of 'silence,' in an instant, the murmured hum which arose from the ship's deck, hushed, and each ear sharpened to catch the following order;—'clear away the long tom.'* Ay, ay, sir!' shouted a dozen of the seamen—and in a few moments the gun was paraded for discharging and the men stood awaiting further orders.

By this time, the advancing ship had approached so near that her bob stay and landyards were seen distinctly relieved from the dark and massive hull; men were observed clambering the shrouds; crowding forward and stationing themselves in the staboad chains for the purpose of viewing and admiring the saucy Yankee who evinced no disposition either to run away or come to close quarters. Still she swept onwards, and in a few minutes the letters of her name grew legibly detached from the forenetting, and the swellig notes of 'Rule Britnna, rose upon our hearing, yet our Commander stood motionless, attentively surveying the noble Briton as she swiftly advanced, dashing proudly aside the white spray that gathered round her bow: not a word was spoken on board our ship, and every eye was bent on the Englishman with absorbing interest; it was the most absorbing moment of my life, I fairly held my breath with the thrillig indescriable feeling that was awakened in my mind. 'Stand by the weather braces?' shouted our commander, and the ropes were disengaged from their respective cleets; again an interval of silence succeeded as the captain again turned his gaze on the ship in chase. 'Wear ship,' shouted he at the top of his voice, and the long yards of our vessel were swung around, until her bow veered gracefully to windward; this manœuver was scarcely executed when a volume of smoke issued from the bows of the ship in chase, and the loud report of a cannon rang upon the breeze; in an instant every eye was thrown aloft to discover if their fire had proved effectual, but all above remained untouched, the ball had passed us harmless by. 'Keep at that,' exclaimed our commander to the men at the wheel, as our topsails were thrown back and the vessel lay motionless in the wind's eye, then glancing his eye along the gun he poinfed it to suit his aim —the priming was fired—and the crack of our cannon reverberated on the ears with its wonted stunning effect. 'Huzza; shouted our seamen, —as the mizen top of the Briton flew in splinters and the top, top-gallant and royal mast fell over the stern, dragging along with it the proud banner of England. For a moment I stood regarding the lamed vessel with a glow of delight which can better be imagined than described national pride, & the thrill of triumph swept thro' my veins, and I felt that I could not breathe other than as an American. I turned toward the commander, he still gazed at the vessel astern, while his eye was lighted with a fierce triumph and his lips curled with a grim thro' not unpleasant smile. 'Thus,' said he addressing, me, 'shall Paul Jones ever do homage to the pennons of British tyranny and oppression.' Then suffering the excitement of his countenance to vanish, he gave the loud command of 'Fill away!' our vessel then swung round on her course, the sails were again filled, and again she bounded forward thro' the green waters of the Atlantic. 'Set the studding sail, and crowd on all sail,' exclaimed the commandant, the light booms were soon run out from the extremity of the yards and in a few hours our antagonist and those of the squadron were lost in the rotundity of the ocean.

*A large cannon which stands betwixt the fore and main mast.

TITLES OF ACTS,

Passed at the Session of the Legislature of 1839

AN ACT additional to the several Acts now in force relating to the partition of real estate.

additional Act exempting certain goods and chattels from at achment, execution and distress.

giving further time to the Ticonic Sluiceway Company to construct a Sluiceway Falls in Waterville.

to promote the sale and settlement of the Public Lands.

additional respecting the repair and amendment of Highways.

additional to an Act to regulate the jurisdiction and proceedings of Courts of Probate.

additional to incorporate Dummer Sewall and others, proprietors of the new Meeting House in Bath, into a religious society by the name of the Congregational Society in the town of Bath.

for the limitation of Criminal Prosecutions.

additional to an act concerning Dover.

additional providing for the packing and inspection of pickled and smoaked fish.

to provide for the expenditures of the State Prison.

to change the names of certain persons.

additional for the support and regulation of Mills.

for the relief of sureties on Poor Debor's Bonds in certain cases.

limiting the power of County Commissioners to set off Fayette Baker and lands from Penobscot and annex the same to Castine.

further regulating Judicial Process and proceedings.

to set off so much of the farm of Nath'l. Springer as lies in the town of Freeport, and annex the same to the town of Brunswick.

authorizing the President, Directors and Company of the Manufacturers and Traders' Bank to reduce their Capital Stock.

to set off Isaac Robinson from Cushing to Friendship.

to repeal an additional Act concerning the collection of taxes.

additional to the several Acts to secure to owners their property in logs, masts, spars and other lumber.

additional to "An Act for the protection of the Mattanawcook and Military Road.

to incorporate the Thomaston Theological Institution.

additional to an Act respecting Mortgages and the rights of equity of redemption.

to incorporate the proprietors of the Moose Brook Sluiceway.

to set off lands of Robinson Gammon from the town of Hartford to the town of Canton.

in addition to an Act to incorporate the Calais and Baring Railway Company.

to incorporate the Merchant's Insurance Company.

to set off a part of the town of Alna and annex the same to the town of Wiscasset.

to incorporate the Trustees of Clinton Academy.

to provide in part for the expenditures of Government.

to incorporate the Farmers and Mechanics Mutual Fire Insurance Company.

to abolish the Court of Common Pleas, and establise District Courts.

additional to establish the Belfast and Quebec Rail Road Corporation.

regulating the fees for Justice Writs.

additional to "an act for the due regulation of weights and measures.

additional to incorporate the Sebago Canal Company.

to annex certain lands belonging to Edward Boulton to the town of Raymond.

authorizing the President, Directors and Company of the Bank of Cumberland to reduce the Capital Stock of said Bank.

additional relating to the trespassers on the Public Lands.

authorizing the County Commissioners of Waldo County to lay out a Highway over the tide waters in Prospect, and the inhabitants of Prospect to build a bridge over the same.

relating to Divorces.

incorporating the Wiscasset and Woolwich Mutual Fire Insurance Company.

ceding to the United States the jurisdiction of a certain tract of land for the purpose of erecting a Light House thereon.

to incorporate the town of Bowerbank.

to regulate the Inspection and packing of Clams.

in addition to an Act to incorporate the Stillwater Canal Corporation.

to alter the times of holding the Supreme Judicial Court in the Counties of Somerset, Penobscot, Washington, Hancock and Waldo, in this State.

in addition to an Act to regulate the Salmon, Shad and Alewive Fishry in the River St. Croix and its branches.

to incorporate the town of Smyrna.

authorizing the President, Directors and Company of the Lafayette Bank, to reduce their Capital Stock.

additional regulating Judicial process and proceedings.

to incorporate the town of Mattamiscontis.

to extend the jurisdiction of the Kennebec Log Driving Company to Dead River

authorizing the County Commissioners of the County of Lincoln to locate and lay out a County Road in the town of Lisbon in said County.

additional to an Act to establish the Frankfort, Bangor and Belfast Rail Road.

establishing the salaries of the Judge and Register of Probate for the County of Piscataquis.

regulating Toll Bridges which are or may be covered to be suitably lighted.

constituting Calais the Shiretown of the County of Washington.

additional to an Act to establish the Maine New Hampshire and Massachusetts Rail Road Corporation.

authorizing the County Commissioners for the County of Waldo to lay out a road over tide waters in the town of Belfast.

relating to days of grace on Commercial paper in certain cases.

additional to an Act to regulate the inspection of Beef and Pork.

to set off land of Freeman Dexter and Sumner Dexter from the towns of Wayne and annex the same to the town of Winthrop.

to establish the town line between the towns of China and Albion.

additional to an Act relating to the Passamaquoddy Tribe of Indians.

additional to an Act concerning Stud Horses.

additional to an Act to incorporate the Chesuncook Company.

to set off Daniel Fogg from Standish to Gorham.

authorizing the sale of the old Meeting House (so called) in New Sharon, in the county of Franklin.

to incorporate the Bangor Female Orphan Asylum.

concerning the mortgage of personal property.

in addition to an act to incorporate the city of Portland.

additional relating to highways.

to change the names of certain persons.

authorizing the sale of the lower meeting house in Hollis, in the county of York.

to protect family burying grounds.

to establish the salary of Judge and Register of Probate in the county of Franklin.

to incorporate the Hallowell Savings Institution.

authorizing the Indians of the Penobscot tribe to elect their Governor and Lieutenant Governor.

to provide in part for the Expenditures of Government.

establishing the county of Aroostook.

additional to the several acts for the better regulation and management of the Penobscot tribe of Indians.

to repeal certain acts giving a bounty on Wheat and Corn.

to incoporate the town of Argyle.

to change the name of Charles Cobb.

authorizing the erection of a Bridge over the north branch of Marsh River in Frankfort.

in addition to an act to abolish the Court of Common Pleas and establish District Courts.

additional to an act to organize govern and discipline the Militia of this State.

to change the name of Joshua Richardson

adtional to "an act concerning Corporations," passed on the sixteenth day of February, 1836.

to incorporate the town of Massardis.

to reduce the capital stock of the Eastern Bank of Bangor.

additional to an act regulating towns and town meetings and the choice of town officers, approved March 19, 1823.

in relation to a State Library.

additional to an act to incorporate the Penobscot Mutual Fire Insurance Company.

to regulate the manufacture and inspection of Lime and Lime Casks.

to limit the compensation of Sheriff in the county of Piscataquis.

additional to an act for the preservation of fish in the Penobscot waters, approved March 21, 1838.

to set off certain lands in Dearborn and annex the same to Belgrade.

to incorporate the York Iron Company.

[See Fourth Page.]

...S. Magazine and Democratic Review.

THE MAINE BOUNDARY QUESTION.

At length, after half a century of diplomatic *"negotiation,"* there appears a prospect of an early settlement of this question; and it certainly affords a subject for sincere congratulation, not alone for the sake of the interest and honor of the State individually concerned, but for those of the Union at large. And that which a long array of stately diplomatists, each piling ream upon ream of official notes, *ad infinitum*, to make still worse confounded the confusion left by his predecessor, have been unable not merely *to do*, but even to approximate towards any reasonable *prospect* of doing, lo and behold has been done, or all but done, with a few dashes of the pen, by a quiet, plain little man, of rather ordinary appearance, modest manner, and retiring habits, sallow complexion, good-natured countenance, and a peculiarly calm, steady eye—named JOHN FAIRFIELD, made Governor of Maine by a bold, manly, and thinking people, because he was a staunch democrat, and a man of well approved sense, spirit and firmness.

The right of Maine to the undisputed possession of the whole tract in dispute is as plain as the noonday sun in the heavens. The question does not rise, as has been said on the floor of the Senate, with the entire concurrence of all, to the dignity of debate. Ungracious as the assertion may seem from the one party to an unsettled question, the case is so extreme a one, that we must say that we cannot believe in the sincerity or good faith of any person, possessed of a decent modicum of intelligence, who, on looking at all into its merits, will profess to give the British claim the benefit of even a single doubt. This is strong language, but no stronger than we feel warranted by the truth in using, with all deliberation and confidence. We therefore have nothing here to say about the merits of the question further than to refer to the full exposition of it which may be found in our Number of last September.

We are not at all surprised that the patience of the State of Maine has become at last completely exhausted, and that she has determined not to permit the further indefinite procrastination of these interminable negotiations. The silence of the British Government through the past year, after the strong manifestations of public opinion in this country, through all its highest organs, proves, if any such proof were needed, that it is idle to expect from it for the future any better disposition for a fair and honorable settlement of the difficulty, than has been exhibited throughout all its past history. We cannot therefore withhold our approval of the course she has adopted, so far as known at the date of the present remarks, as the only one fully equal to the circumstances of the case.—A large armed and organized band of lawless intruders are upon a portion of the territory in dispute—a portion of it over which American jurisdiction has been exercised as far back as thirty years ago. They are rapidly stripping it of that which constituted its chief value. The State sends promptly a civil officer, supported with an armed *posse*, to remove them, and arrest the dilapidation of the property unquestionably her own, and soon to be adjudged as such. It is violently resisted, and the officer arrested and imprisoned. The State rushes with its military force to the support of its civil officer in the function committed to him by the law.—She is met by a claim on the part of the British authorities, advanced in a very arrogant manner, to exclusive jurisdiction over the whole territory in dispute, with a demand that all armed force shall be withdrawn, and the trespassers seized, be delivered over to the British jurisdiction for trial. This is the question on which, if on any, the collision is to take place—the British claim to exclusive jurisdiction pending the negotiations; and on this we think the right of the State perfectly clear. There can be no doubt that the President will be sustained by the unanimous approval of the country, in the determination declared by him to Congress that if this claim is maintained, and exercised by an armed occupation of the territory, he shall regard the case as arrived imposing upon him the constitutional duty to call out the militia to repel invasion. His language has all the moderation, with a sincere desire for peace and tranquility, with at the same time that resolute combination of the *fortiter in re* with the *suaviter in modo*, alike characteristic of its author.—

Some censure has been cast upon the course of Gov. Fairfield, as too precipitate and summary—in sending an armed force to the Aroostook, without previous consultation with either the Federal Government, or the Governor of New Brunswick. His object being to compel a speedy attention to, and settlement of, the case, and to exhibit the spirit which had been long and slowly mounting in the State, till it has reached a point at which it can no longer be possible to keep it down,—we think, on the contray, that the course was the proper one; and that it will undoubtedly lead, by the shortest way to the most satisfactory result. It should be borne in mind that the military power of the State was not sent to the support of the civil posse until after the proclamation of Sir John Harvey, claiming exclusive jurisdiction.

We have little apprehensions about the result. Sir John Harvey will not have ventured to attack the Maine troops, before the instructions from Washington will have reached him, which will doubtless put a peaceful end to the immediate difficulty. All parties will then retire. The object of the State will have been fully accomplished. Her equal right of jurisdiction will have been strongly asserted and stoutly maintained, and the arrogant and utterly unfounded adverse claim will have been successfully repelled;—while, as its most important consequence, the British Government will be for the first time within half a century awakened to the consciousness that the crisis of this most vexatiously procrastinated question has at length arrived, and that the State of Maine and the United States cannot, and will not, any longer submit to the cajolery of diplomacy heretofore so successfully played off against us by their adroit negotiators.

From the Augusta Age

OUR POSITION. In order to define correctly the position which this State occupies in relation to the border controversy, it may be proper to review, somewhat minutely, the course of events for the last two or three months.

The public lands in that part of the State claimed by Great Britain, had been, for many years, the scene of plunder. Information was received by Gov. Fairfield in January last, that the plunderers had gone upon the territory in unusual numbers, and that immense quantities of timber would be lost to the State unless prompt and efficient measures were adopted to prevent it. Accordingly, on the 23d day of that month, the Governor sent a confidential message to the Legislature, recommending that the Land Agent be sent into the territory with a sufficient force to break up the plunderers, secure the timber already cut, and prevent further depredations. To this message the Legislature responded by the Resolve of Jan. 24, which is in the following words:—

Resolved, That the Land Agent be and is hereby authorized and required to employ forthwith sufficient force to arrest, detain and imprison all persons found trespassing on the territory of this State, as bounded and established by the treaty of 1783, and that the Land Agent be and is hereby empowered to dispose of all the teams lumber and other materials in the hands and possession of said trespassers in such way and manner as he may deem necessary and expedient at the time, by destroying the same, or otherwise. And that the sum of ten thousand dollars be and hereby is appropriated for the purpose of carrying this Resolve into effect, and that the Governor, with the advice of the Council be & is hereby authorized to draw his warrant from time to time, for such sums as may be required for the purposes aforesaid.

The capture of the Land Agents of Maine and New Brunswick, respectively, we pass over, as is has no very material bearing on the events which followed.

On the 16th of February, a Proclamation of Sir John Harvey was received here, in which he spoke of the advance of the Land Agent's force against the plunderers as an "invasion of a portion of the Province under the jurisdiction of her Majesty's Government," and stated that he had "ordered a sufficient military force to proceed forthwith to the disputed territory, as well to repel foreign invasion, as to prevent the illegal assumption of arms by her Majesty's subjects"—and on the next day a letter to Gov. Fairfield from Sir John Harvey, of which the following is an extract:—

SIR:—I have just heard with the utmost surprise and regret, that, without the courtesy of any previous intimation whatever to this Government, an armed force, from the State of Maine, has entered the territory, the claim to which is in dispute betwixt Great Britain and the United States, *and which it has been agreed betwixt the two general Governments, shall remain in the exclusive possession and jurisdiction of England, until that claim shall be determined.*

It has been my duty, on more than one occasion, to apprize the Executive Government of Maine, that my *instructions do not permit me to suffer any interference with that possession and jurisdiction*, until the question of right shall have been finally decided, in discussion betwixt the two General Governments.

With a knowledge of these instructions thus explicitly made known, I cannot but repeat the expression of the deep regret which I feel, that instead of seeking their recall or modification through the Presidential Government, the State of Maine should thus have forced upon a subordinate officer, the alternative of either failing in his duty by abstaining from the fulfilment of the commands of his Sovereign, or by acting up to them, placing the two countries in a state of border collison, if not the two nations in immediate and active hostilities.

Such, nevertheless, is the position in which I find myself placed by this overt act on the part of the State of Maine, one from which I do not hesitate in entreating your Excellency to relieve me, by ordering the immediate recall of a force, whose presence within the precincts of the territory as claimed by England it is contrary to my instructions to permit—*and it is proper that I should acquaint your Excellency that I have directed a strong force of Her Majesty's troops to be in readiness to support Her Majesty's authority*, and protect Her Majesty's subects in the disputed territory, in the event of this request not being immediately complied with.

These were the first intimations received by this State, that the civil force under the direction of the Land Agent would be resisted by a foreign power, in the execution of the resolve of Jan. 24th. The Lieut. Governor of New Brunswick here, for the first time, claimed exclusive jurisdiction over the disputed territory and theatened to invade it by a military force, for the purpose of enforcing that claim. To meet this threatened resistance and invasion, Gov. Fairfield ordered out a portion of the militia, submitted the facts to the Legislature, by Message of Feb. 18, and asked an appropriation to cover the expenditure thus rendered necessary. The deliberations of the Legislature resulted in the passage, by a unanimous vote, of the Resolve of Feb. 20, which is in the following words:—

Resolved, That the honor and interest of this State demand, that a sufficient military force be forthwith stationed at the Aroostook river, west of the boundary line of the State as established by the Treaty of 1783; and on the river St. John, if found practicable, at such points as may be best adapted to the object, to prevent further depredations on the public lands and to protect and preserve the timber, and other lumber already cut there by trespassers, and to prevent its removal without the limits of the State.

Resolved, That the sum of eight hundred thousand dollars be and hereby is appropriated for the purpose of enabling the Executive to carry out the purposes of the foregoing Resolve passed January 24th, 1839. And that the Governor be and hereby is authorized with the advice of Council to draw his warrant for the same from time to time as it may be needed for that purpose.

It will thus be seen that the milita was called out for the sole purpose of sustaining the Land Agent against a threatened attack by her Majesty's troops, and enabling him to carry into effect the Resolve of Jan. 24. In accordance with the Resolve of Feb. 20, instructions were issued to Major General Hodsdon, directing him to establish a military post on the Aroostook, and also on the St John, if found practicable. The post on the Aroostook (Fort Fairfield) was established and occupied some time since by Gen. Hodsdon. Whether any steps had been taken to establish a post on the St. John, in accordance with the instructions of the Commander-in-Chief, and if not, why not, will doubtless appear from Gen. Hodsdon's report, when received.

Meantime the proceedings of this State were communicated to the General Government, who acted with great promptitude and efficiency in the premises. The claim of Sir John Harvey to exclusive jurisdiction was denied—the proceedings of Maine justified—a determination expressed to resist any attempt of the British authorities to occupy the disputed territory with a military force, and adequate means placed at the disposal of the President to carry that determination into effect.

This prompt action of the General Government rendered it quite certain that Sir John Harvey would not carry his threat of invasion into effect, or attempt to enforce his preposterous claim to exclusive jurisdiction; and that in this event, the large military force called out to sustain the Land Agent, would become useless. Accordingly, the Legislature, by an unanimous vote, authorized the Governor to withdraw the militia whenever an assurance should be received that Sir John had "abandoned all intention of occupying the disputed territory with a military force, and of attempting the expulsion of our party." That assurance was received by the Governor on the 25th ult., through Major General Scott, and orders were accordingly issued for the withdrawal of the military force from the disputed territory, as soon as an edequate force could be organized under the Land Agent to supply their place in carrying into effect the Resolve of January 24.

To this withdrawal of the military force we have heard none object. The unanimous vote of the Legislature directing it, indicates the conclusive reasons in its favor. The State would have been placed in an awkward position, indeed, had she kept a military force there with nobody to fight but a few hundred trespassers; and she could not expect that the expense of maintaining it under such circumstances, would be reimbursed by the General Government.

But it is to be remarked that in withdrawing that force, Maine has not receded from, but on the contrary, triumphantly maintained, every iota of the ground taken in the outset. Her force under the Land Agent, which Sir John Harvey threatened to expel, remains in the territory, and will remain there while the property of the State needs protection. But the threat of Sir John Harvey is withdrawn—he assures the Governor that he will not seek to expel the Land Agent from the disputed territory, or occupy it by a military force. The exigency which called out the militia has therefore ceased, and therefore they are withdrawn; but the Land Agent remains with a sufficient force to carry into effect the Resolve of Jan. 24, and to assert our jurisdiction so far as to protect the property of the State throughout the disputed territory. We stand where we should have stood, if no resistance had been offered to our civil authorities by the Province, with this exception—that we have received from Sir John Harvey a pledge to offer no such resistance in future, without renewed instructions to that effect from her Majesty's Government.—The expense incurred by us in preparing for a threatened invasion will be reimbursed by the United States; and the expenses of the *posse* under the Land Agent may be more than paid, if that course is deemed proper, by the proceeds of the lumber already wrested from the trespassers.

It may be easy for those who were predetermined to be satisfied with nothing, to find fault with the result; but we think it would be hard for them to shew wherein it could have been made more honorable or beneficial to the State.

The Value of the Disputed Territory.

There is nothing in the location that renders, it, *as territory*, of much consequence to Maine or the United States. It has been said that, unoccupied by us, it leaves an exposed frontier, in the event of a war; but the adjoining country will not admit of a very dense population, and in case of a war the *Quoddy men* would no doubt, willingly move up and pay the settlers the value of their improvements. No body knows better than they, how to turn to good account, a residence on the lines. Five millions of dollars has been named as the value of the land. The city of New York, alone or Philadelphia, or Baltimore, or Boston, or New Orleans, any one of them, could well afford to pay double the money, to avoid a war. [*Journal of Commerce.*]

We do not think it quite so inconsequental. The location is of great importance to Maine and the nation. It divides the British Provinces of New Brunswick and Lower Canada, and is therefore of vast importance as a military post. The land, timber and resources are worth fifty instead of five millions of dollars.—No doubt the stock-jobbers of N. York, Philadelphia and N. Orleans, would make money by buying off Maine at the price named. The federal merchants and stock owners may buy the "god-like" Daniel, but the honest and independent citizens of Maine are not in the market for purchase.

The country *does* admit of a dense population—it is the best part of the State on our side of the line, and the best portion of the British Provinces on the other. Besides, the value of peace or war is not to be computed by dollars. We have concluded to be King of all the hitherlands, and to let John Bull be King of all the furtherlands. [*Bangor Democrat.*]

OXFORD DEMOCRAT.

PARIS, APRIL 9, 1839.

THE INDEPENDENT TREASURY. The freemen of our country are divided into two great parties, one supporting the Independent Treasury system, and the other in favor of making Banks the agents of Government for receiving and disbursing the revenues of the nation.—The democratic party believe that the people are fully competent to manage their own financial concerns, thro' the officers to whom they have delegated the administration of the Government. That the Government should be independent of all corporations, and dependent alone upon the people—from whom, by the Constitution, its powers are derived. They are in favor of a system under which a few officers, chosen by the representatives of the people and responsible to the people, shall manage the money transactions of the country.—The federal party seem to entertain the opinion that it is the peculiar province of banking corporations and moneyed men, to control those national revenues, the greater part of which are derived from the laboring classes. They propose placing all the funds on which the Government depends for its support in the vaults of private corporations—in the hands of agents who are in no sense responsible to the people—under the control of the Presidents, Directors and Stockholders of some twenty-five of the largest Banking Corporations in the country, and granting, as a compensation for their services, the free use of the public money as a basis for discounts and circulation.

Under the deposite system, at least 200,000 influential persons—Bank officers, Stockholders and borrowers—would acquire a direct and personal interest in the public funds. Every dollar of Government's money, remaining on deposite, would be so much added to the capital of these men—so much to their facilities for trade and speculation. A revenue barely sufficient to meet the current expenses of the Government would be far from satisfying them. They would soon ery in concert with the proprietors of our large manufacturing establishments, 'more protection to manufactures,'—more funds for the Government,' and as a necessary consequence, 'more taxes upon merchandize and farmers.' No matter how high duties the laboring classes have to pay for the necessaries of life. Every turn of the screw would bring more money into the vaults of the deposite Banks, and give larger loans to their customers and larger dividends to their stockholders. To enlist such a vast influence, by a special act of Legislation in favor of high taxation—to combine in one vast alliance the whole army of bankers, capitalists, and bank dependants, and turn their influence against the people—is the policy of men who affect to shudder lest a few Custom House officers and Postmasters should overturn the liberties of the nation and spread corruption through the community.

The same men, who, under the deposite system, would feel a direct interest in augmenting taxation, would, under the Independent treasury system, acquire a direct interest in reducing it. Every dollar collected into the Treasury under the latter system, would be so much placed beyond the reach of the banks, and to a great extent withdrawn from their vaults. The money power would have a direct interest, in common with the people, to oppose all unnecessary taxation—an interest to go for reduction rather than an increase of national taxation. The public burden would be diminished as a matter of course, and almost by general consent. Economy in the public expenditures, would follow in the train of salutary reform for which an Independent Treasury is destined to prepare the way.

The expences of the Investigating Committee amounted to the pretty little sum of *two thousand two hundred sixty-six dollars and thirty-seven cents!* The members charging only the small sum of *nineteen dollars thirty-seven cents per day!* Think of that ye extravagant farmers and mechanics who are revelling on a dollar and nine shillings a day, while such men as *Henry A. Wise* and *F. O. J. Smith*, and their associates, who prate about their economy, are *working* for the miserable pittance of *nineteen dollars and thirty-seven cents per day!* And this bill was allowed and contended for by men who preach economy, retrenchment and reform by the hour. What a commentary upon the pretensions of the self styled reform party, who would have the people believe that they are the greatest economists and the most self-denying patriots in the world. If the Federalists would put their fine spun theories about economy into practice, the people would be willing to give them credit for some little honesty and consistency. As the case stands, the keen-sighted and clear headed yeomanry, who constitute the bone and muscle of the democracy, and who are theoretically and practically in favor of a republican government, administered economically, 'void of pomp, protecting all, and granting favors to none,' will give them credit for *talking much* and *professing a great deal*, while their *practice* is a different from their *profession* as light is from darkness, or *Democracy* from *Federalism*.

MR. FARMENTER ELECTED. At the election for member of Congress in Middlesex District, held the 1st inst. Mr. Farmenter the Democratic Candidate was elected by a majority of 28 votes over the combined forces of Federalism and its secret alley political abolitionism.—This, says the Boston Post, is a glorious triumph for the Democracy of Middlesex, who have borne the heat and burden of this contest as unflinchingly as did their fathers the struggle for freedom at Bunker Hill. It is not only a triumph for them but for the country. The vote they have secured for sound principles in the next Congress may settle the great questions of the day on the side of the people. The next Congress may now be confidently looked to for a democratic majority. The slanderous and malign spirit of whiggery in Middlesex is put to rest, and the aimless folly of political abolitionism has been effectually rebuked. We have carried the election with our single democratic flag flying over the whole field.

The following schedule exhibits the number of bushels of wheat raised in each County in the State the past year:—Oxford, 126,326; Cumberland, 52,293; York, 30,853; Lincoln, 45,301; Kennebec, 128,933; Somerset, 135,454; Penobscot, 153,574; Waldo, 122,554; Franklin, 104,312; Piscataquis, 80,228; Washington, 42,621; Hancock, 24,164. The whole amount for which a bounty has been claimed, is one million one hundred and seven thousand eight hundred and forty-nine bushels. The whole amount of Corn for which a bounty has been claimed, is one million six hundred and thirty thousand nine hundred and ninety-six bushels. Besides this, a large quantity has been raised which has not been entered for a bounty. The Maine Farmer estimates that the wheat, corn, rye, barley, Indian wheat and buck wheat, raised in this State last year, amounts to 2,500,000 bushels, or about four bushels each, for every man, woman, and child in the State.

We have made arrangements by which we hope to be able to furnish our readers with the public Laws, passed at the last session of the Legislature, next week on an extra sheet.

CONNECTICUT ELECTION.

Great Democratic Gain.

2500 IN ONE YEAR.

The Democrats have gained handsomely in Connecticut, but not enough to regenerate the State. The Federal majority, last spring, over the Democratic Ticket was, 5997. It was scarcely to be expected that our friends would overcome this large majority. The daily Times gives returns from nearly the whole State, making Ellsworth's (Fed.) majority over NILES (Dem.) as far as heard from, 2611. The Boston Atlas claims to have carried the State by 3000 majority, and the whole Congressional Delegation. The Hartford Times says, the federal majority for Governor will be found 1200 to 2000, being a reduction of more than one half since the last election. Our gain in the Legislature will be very great; the Democratic representation in the lower house will be double what it was last year. The Conservative vote has been reduced nearly one half.—We have gained four or five Senators.

While we allow that the federalists have elected their State ticket by a lean majority, in comparison with last year, we congratulate the friends of Democracy on the steady advancement of their principles in Connecticut. Our course is onward—and another such "whig victory," will place the federalists far in the minority.—Eastern Argus.

From the Globe

DEFENCE OF THE COUNTRY.

It is well known that two antagonistic propositions have been discussed before Congress for several years, to wit: defence, or distribution. Many were in favor of using the surplus revenue, as it was called, but which it is now seen would not long have continued a surplus; many were in favor of using that surplus as fast as it could be usefully be done, in putting the whole Union, by land and water, in that state of general and permanent defence which the security of the country requires, and which a special object of the Constitution imposes as a duty upon Congress; others, at the head of whom was Mr. Clay, were in favor of dividing out the money among the States; and the event proved that the party was the strongest. The consequence was, that the fortifications bills, and other bills for the common defence were most of them rejected, in order that the money might be saved for distribution, and to such a length was this policy carried, that, in the session of 1836-7, a fortification bill was lost between the two Houses, because the Senate would not agree to take it with *a second distribution bill* engrafted upon it as an amendment in the House of Representatives! This whole bill was actually lost on this account; and strange as it may seem, there was never so little done for the common defence as during the time that the Treasury was most able to fulfil that great constitutional duty; and now, at this moment, when the state of things in the Northeast has forced public attention to the condition of the public defences, they are found to deplorably deficient, and a loud clamor is raised by the very party which took the money for distribution, to the neglect of the defences, against the Administration for neglecting those defences! This state of things, and Mr. Clay's renewed proposition to go to distributing public money, has again incited public attention to the question of the COMMON DEFENCE; and in order to bring the alternatives of DEFENCE or DISTRIBUTION fully before Congress and the country at the next session, the following resolution was adopted by the Senate at the late session:

The following resolution, submitted by Mr. Benton, was considered and adopted:

Resolved, That the President of the United State be requested to cause to be laid before the Senate, at the commencement of the next session of Congress, reports upon the military and naval defences of the country, showing—

First. The fortifications, or other permanent defences, commenced, completed, projected, or deemed necessary—1. For the Northern frontier, from lake Superior to Passamaquoddy bay. 2. For the maratime frontier, from Passamaquoddy bay to Cape Florida. 3. The Gulf frontier, from Cape Florida to the Sabine bay. 4. The Western frontier, from the Sabine bay to Lake Superior, with a conjectural esti-

mate of the probable expense of constructing or completing such works as may not have been completed or commenced.

Second. The state of the armament of the fortification, so far as the same may be completed or commenced, with a conjectural estimate of the expense of completing the armament of all the forts which may be commenced, or deemed necessary to be constructed.

Third. The armories, arsenals, magazines, and foundries, either constructed or deemed necessary, with a conjectural estimate of the expense of constructing such of said establishments, as may not yet be completed or commenced, but which may be deemed necessary.

Fourth. The floating or steam batteries, or vessels which may have been constructed in aid of fortifications, or may be deemed necessary to be constructed in aid of such works, with a conjectural estimate of the expense which the same may require.

Fifth. The ships of war built, or under construction, or deemed necessary to be built, with a conjectural estimate of the expense of building and arming the vessels not yet completed or commenced, or which may be deemed necessary within a reasonable time.

Sixth. The navy yards, docks and naval establishments of every kind, either constructed or commenced, or deemed necessary, with the probable expense of completing the same.

With any other information or suggestions which the President may deem necessary to be communicated to Congress, in order to exhibit a full view of what is necessary to be done, and the probable cost thereof, to place the U. States in a proper state of defence, by land and water, and on each of the four great lines of defence which her frontiers present.

Upon the exhibition of the reports which this resolution will bring in at the next session, the two alternatives will be full before Congress and the country. Mr. Clay, who makes his fourth run for the Presidency on the seductive ground of distributing public money, will come forward with his old plan of dividing the proceeds of the sales of the public lands among the State; the Republicans will come forward with the plan of using those proceeds of the *"common defence,"* by applying them to the defence of the whole Union, by land and water, on each of the four great lines of defence which her frontiers present.

It is not our object at present to discuss these alternatives, but to mark them for public attention, and to present them as constituting one of the great landmarks which will discriminate the Republicans from the federalists. The Democracy are for defending the country; the federalists are for having it open on all sides, and taking the money for distribution. This has been a contest between them for six years past, and will become still more bitterly contested now that the champion candidate of the federalists, Mr. Clay, has staked all his political fortunes upon the game of distribution. This is now his trump card! Tariff, Internal Improvement, National Bank, Abolition, are all laid by, *for the present. "No more of that Hal, an you love me."* Distribution is now the trump card; and if by that card the game can be won, every other interest now postponed and kept in the dark will be immediately brought forward, and made national objects of the first magnitude. But we forbear: our object is not to discuss, but to present; not to argue the comparative merits of defending the country, or plundering it by distributions; not to compare the constitutionality, expediency, and morality of employing the proceeds of the public lands for the *"common defence,"* with the constitutionality, expediency, and morality of the distribution of the same by the hand of a candidate for the Presidency, on the eve of each returning Presidential election; our object is not this, but merely to rouse public attention, and fix it on the two plans presented, and leave it to the virtue, the intelligence, and the patriotism of the people to decide between them at the approaching elections.

WHAT IS DEMOCRACY?

This is a question often asked, but seldom answered so effectively and forcibly as in the following extract from a recent speech delivered in the Virginia House of Delegates, by Mr. Smith of Culpepper. It is certainly irresistible; and we agree with the gentleman who kindly forwarded us the paper containing it, that "it deserves to be printed in letters of gold." *New Bedford Register.*

Mr. Speaker, let me here pause and for a brief space contemplate the moral grandeur of our position. While the whigs, greatly stronger than the party with which we act, are, as is supposed, about to commit an extraordinary act of political prostitution, while the Conservatives are ready and anxious for that unholy embrace, from which no good can come; we, deficient in numbers, yet proudly stand upon our principles, recognizing *no necessity* for their abandonment, conscious that our destiny may be defeat; and deeply anxious to conquer, we yet sternly resist all the seduction to temptation. Confiding in the justice of our cause and the wisdom of the people, we fear not defeat, satisfied that it well only enrich that victory which sooner or later we must certainly achieve. Our principle, sir, the Democratic principle, must win favor as it is understood. It is a principle of benevolence, humanity and love.—It seeks to abuse no man, but to elevate all.—It seek to alleviate human suffering—to bind up the broken hearted, and to make us love our brother as ourself. It labors to purify the affections and expel from the human heart that selfishness which is the source of such innumerable woes. It teaches without ceasing, the lofty principles of unadultered philosophy, in order that man may be all that the creature should be who is made after God's own image. It is a principle of renovation change, with ceaseless effort for happiness of man, and bears the same relation to the moral that the christian principle does to the religious world. The principles of both are LOVE, for both seek the happiness of man. The one seeks to perfect the character of men here below; the other in addition thereto seeks to make him fit company for the society of just men made perfect. In fact the only difference between these vital and glorious principles is, that one is of Earth and the other of Heaven. Our principle teaches that *all mankind are free and equal.* Impress this doctrine upon the heart we must love our brother as ourself. Let us do this and we must have charity and humility; and then Sir, with our hearts thus purified, attuned to Love, the christian laborer has nought to do, but to invoke the regenerating principles of Divine grace. The Democratic principle is the grand moral adjunct of the christian principle; and it is the bounden duty of every son of Heaven to spread it far and wide. Sir, the foe of the Democratic principle is the Aristocratic principle. What are its characteristics? Pride, vain glory and ambition. It turns with loathing and disgust from the laboring million. It considers the many as only fit to be hewers of wood and drawers of water. Its affections are of this world, and it goes up into high places and thanks the Lord it is not, as that publican. What chance has the christian laborer here? And such is the principle which regulates the political conduct of a very large portion of our whig adversaries.

Is it then wonderful, Mr. Speaker, that our principles should have borne us on conquering and to conquer? Is it wonderful that under its rule we should have determined to bear our Banner aloft, determined, as I have before remarked, "to conquer or die" beneath its ample and imperishable folds.

The following letter from Mr. Biddle to the Board of Directors tendering his resignation, we copy from the Commercial Advertiser.

"*To the Board of Directors of the Bank of the United States:*

"Gentleman—I execute a purpose which, as you are aware, I have long meditated, and which I intimated to the stockholders at their first meeting, under the new charter:—that of retiring from the direction of the Bank. It is now more than twenty years since I entered the service. They have been years of intense labor, and they have earned for me a right to claim the relaxation and repose which approaching age and precarious health require.

I have waited anxiously for the most appropriate moment at which I could be best spared; but hitherto, whenever I have sought the retirement I so much needed, some difficulty in which my service was deemed useful, always interposed to detain me. None such exists now. All the political dissensions connected with the Bank for the last ten years have ceased—all its extraordinary efforts for the protection of our national interests are happily ended—and the Bank has returned to its accustomed channels of business in peace.

"I can therefore withdraw at length without inconvenience, and I do it more readily, because I leave the affairs of the institution in a state of great prosperity, and in the hands of able directors and officers.

This separation from friends with whom I have so long and so sweetly associated, is among the most painful acts of my life; and I pray you to accept at parting my sincere wishes for the personal welfare of you all.

"N. BIDDLE, President.

"Philadelphia, March 29, 1839."

DANIEL WEBSTER.

The Albany Argus, after alluding to Mr. Webster's late amusing tergiversation of the Maine question, has following account of that statesman's political course:

No public man is so rapidly frittering away a distinguished reputation by the grossest inconsistencies as Mr. Webster. In 1816 and 1817, he was the decided and able advocate of a hard money currency. He is now decidedly in favor of a paper currency. In 1816 he was the opponent of the Bank of the United States, and voted against its incorporation. In 1836 he was one of the warmest advocates of its recharter. In 1824 he was one of the most prominent opponents of the tariff, and sustained with his accustomed ability the free trade doctrines of the Adam Smith school. In 1833 he had completely changed his position, and so resolute a resistance did he oppose to all modification of the tariff policy, that sharp words were interchanged on the floor of the Senate between him and his political coadjutor, Mr. Clay when the latter brought forward his celebrated compromise bill. In a word, it is difficult to name a great measure of policy of which Mr. Webster has not been, at different periods of his public life, the advocate and the opponent.

VICKSBURG BANK.—News was received in this city by express mail last evening, that the Bank of Vicksburg had suspended specie payment. We did not learn any particulars as to the state of the institution, or the time for resumption.

A meeting of the stockholders of the Commercial and Rail Road Bank of Vicksburg, is called at the room of the Bank of Trade in the Exchange this day, at half past 12 o'clock, to receive the report of Judge Taylor, one of the directors, on the condition of the Bank.

Phil. U. S. Gaz.

Men would live exceedingly quiet if two words *mine* and *thine*, were taken away.

MAINE MILITARY CONVENTION.

Pursuant to previous notice, the members of the Legislature and others, friendly to the Militia, convened at the Representatives' Hall on Tuesday, the 19th inst. at the hour appointed, and were called to order by the Hon. Colonel Smart of Waldo. Hon. DANIEL EMERY of Penobscot was chosen President of the Convention, and Messrs. WILLIAMS of Anson and BURBANK of Limerick were chosen Secretaries.

On motion of Col. Smart of Waldo.

Col. Smart of Waldo, Gen. Gross of Cumberland, and Col. Andrews of Oxford were chosen a Committee to draft and report resolutions expressive of the views of the Convention, who having attended to that duty, reported the following:

Resolved, That the local situation of Maine, having 400 miles of inland frontier bordering on a nation disposed to substitute the rule of might for the rule of right,—and as many miles of defenceless sea coast, should remind us that her walls of defence, like those of Sparta, must be the breasts of her own citizens.

Resolved, That we have the utmost confidence in the physical powers and patriotism of her hardy sons who have recently so cheerfully responded to their country's call with a spirit worthy their patriot sires of the revolution, and who would form a phalanx, when disciplined as they may be, not inferior to the Invincibles of a Buonaparte or a Wellington.

Resolved, That it is the duty of every citizen of Maine, to set about the work of inquiry as to the best means and method of perfecting our militia system, and making it what it is susceptible of being made—an arbiter more competent to give us our rights and define our territorial limits than any crowned head in Europe.

Resolved, That in order to do this, our system should be uniform throughout the United States, requiring at least, a portion of our most effective militia to be well instructed in military tactics, and allowing them a fair compensation for their services from the resources of the nation.

Resolved, That a Committee of one from each County in the State be appointed to prepare an address to the United States on the subject of the Militia.

Resolved, That the aforesaid Committee be requested to correspond with Committees of other Conventions in the New England States, for the purpose of ascertaining their general views, and that they report to this convention at its adjourned meeting, a general plan for the improvement of the militia of the United States.

Resolved, That the subject for which we have convened is of sufficient magnitude to be worthy the consideration of a future Convention.

Resolved, That when this Convention adjourn, it adjourn to meet at this place on the last Wednesday of June next, at ten o'clock, A. M.

Pending the passage of these resolutions, which were severally unanimously adopted, the Convention was addressed by Messrs. Smart of Waldo, Andrews of Turner, Cross of Cumberland, and Harvey of Glenburn.

The following gentlemen were appointed a State Committee under the 5th Resolve:

Gen. Thomas of York, Gen. Cross of Cumberland, Gen. Berry of Lincoln, Gen. Vose of Kennebec, Col. Andrews of Oxford, Col. Walker of Hancock, Capt Davis of Waldo, Gen. Foster of Washington, Gen. Hodsdon of Penobscot, Maj. Crooker of Piscataquis, Maj. Wyman of Somerset, Maj. Strickland of Franklin.

On motion by Col. Cross.

Resolved, That the committee just raised be requested to present, at the adjourned meeting of this Convention, an uniform system for the regulation, pay and discipline of the Militia of this State.

On motion by Col. Andrews of Turner,

Resolved. That it shall be the duty of the corresponding Committee of this Convention to give notice thereof in the several newspapers of this State, at least three weeks before our next meeting, and to extend an invitation to the officers of the Militia, and such others as choose to attend.

On motion by Capt. Bean of Oxford,

Resolved, That the thanks of this Convention be pesented to the members of the Legislature for their punctual attendance at this meeting.

On motion of Mr. Nickerson of Swanville,

Resolved, That the proceedings of this Convention be signed by the President and Secretaries, and published in all the Newspapers in this State. Adjourned.

DANIEL EMERY, *President.*

BENJ. WILLIAMS, } *Secretaries.*
ABNER BURBANK, }

The Legislature appropriated $24,000 to extend the Aroostook road to the river St. John, to terminate at or near the Madawaska settlements. It belongs to Massachusetts to make a like appropriation, but it is reported that she will not this year devote a dollar to this purpose. We shall not believe without tangible, convincing proof that our sister state will commit such dishonor as to saddle her just burden upon our backs. Our Legislature also appropriated $12,000 to extend the Houlton road to the Aroostook river; it is also probable that a road will be opened this season connecting the Aroostook with the Houlton road.

Bangor Democrat.

BOWDOIN PORT FOLIO.—We understand a new Monthly will shortly be issued with this title, under the direction of the students of Bowdoin College. It will contain thirty two pages 8 vo. Success to it! Old Bowdoin should do something handsome.—Portland Transcript.

BANK TROUBLES.—The August Branch of the Darien Bank has followed the example of the Savannah Branch and suspended payment The bills of the Hawkinsville Bank, and the Monroe Rail Road Bank of Macon were rejected at the Augusta Bank on the 25th ult.—The N. Orleans Commercial Bulletin states upon good authority that the Commercial Railroad Bank, at Vicksburg, and the Lake Washington and Deer Creek Bank at Princeton, Miss., have suspended specie payment.

Eastern Argus.

GREAT FEDERAL GAIN.—The Federalists, on Tuesday *achieved* a loss in every Ward, in the city, comparing their vote with the vote of last fall. And yet they are in ecstacies of joy at their splendid triumph!—Eastern Argus.

A CONSIDERABLE YIELD OF NUTS.—Aaron Nut, of Montgomery county, Ohio, has had by his first wife 7 children and by them 54 grand children; and by them 74 great grand children; and by them 1 great grand child; in all 136. The old gentleman is in good health and bids fair to see another generation. He can crack a joke as though he was but twenty; but having lost his teeth, it is said that he can crack no more nuts.

ABNER KNEELAND.—Poor Abner Kneeland (we pity him from our soul) has been obliged at laste to leave Boston, and seek a home somewhere else. He left Boston week before last, on his way to the far West. Many who countenanced and supported him when he removed to this city, went away and left him to his fate. His congregation at Summer Street dwindled to nothing.—*Trumpet.*

LAWYERS.—The Emperor of China seems to be of the same opinion as Peter the Great in reference to lawyers. The Czar said that he had but two in his dominions, and that it was his intention to hang one of them in order to secure concord among his subjects. The Chinese Autocrat has issued an edict to suppress "the multiplying of such people," whom he is pleased to designate "villainous and perverse vagabonds, fond of creating disturbance." There is something exceedingly complimentary in this description.

A READINESS to believe ill reports without examination, is the effect of pride and laziness. We are willing to find people guilty, and unwilling to be at the trouble of examining into the accusation.

Maids want nothing but husbands, and, when they have got them, they want every thing.

"O I'm *undone!*" as the Lady said at the Ball the other night, when her corset string broke in the midst of a waltz.

MARRIED.

In Buckfield, on Sunday the 7th inst. by Isaac Harlow, Esq. Mr. BENJAMIN MAXIM to Miss SUSAN HARLOW, both of Buckfield.

[Accompanying the above notice was a generous slice of the bridal loaf. May health and all its attendant blessings be theirs through life.]

DIED.

In this town, on Thursday the 4th inst. Miss Arabella R. Colburn, aged 18 years and about nine months.

PARIS HILL HIGH SCHOOL.

THE subscriber proposes to instruct a school of the above character in which all the useful branches will be taught, as well as the Latin, Greek and French languages,—to commence the 22d inst. and continue twelve weeks.

TUITION.—$3 00 per quarter.
Board can be had from $1 50, to $1 75 per week.

ISAAC RANDALL.

Paris, April 6, 1839. 3t

Cheap for Cash!

A. K. SHURTLEFF & CO.

HAVE for Sale
150 DRUMS SMYRNA FIGS.
40 Boxes LEMONS & ORANGES.
25 Casks Malaga & Smyrna RASINS.
50 Boxes do do
25 Half & qr. Boxes do

Portland, April 2d, 1839. 6wis4

A. K. SHURTLEFF & CO.

HAVE FOR SALE opposite Messrs. DANA, SMITH & Co.
2 pipes HOLLAND GIN.
2 Hhds St. CROIX RUM.
5 " Im. do do
2 half Pipes COGNAC BRANDY.
3 Bas. Im. do do
20 Bls. Am. GIN & BRANDY.
5 Casks SICILY WINE
2 do SHERRY do.
2 do PORT do.

PORTLAND, April 2d, 1839. 6wis34

CAUTION.

THIS is to forbid all persons harboring or trusting SIMON S MERRILL, a Pauper of the town of Norway, on my account, as I have made suitable provision for his maintenance, and shall pay no debts of his contracting after this date.

JAMES MERRILL.

Norway, April 6, 1839. 3w34

To whom it may concern.

THIS is to certify that I do relinquish and give my son, ROBERT H. LIBBY, his time, to act and trade for himself until he shall be of the age of twenty-one years, and that I will pay no debts of his contracting, and that I will claim none of his earnings or wages after this date.

JOSIAH LIBBY

Witness, } John G. Barnard,
} Curtis P. Howe.

Mexico, March 4th, 1839. 3w34

BETHEL ACADEMY.

THE Spring Term of the BETHEL ACADEMY will commence on Wednesday, the 27th inst. under the care of Mr MAURICE C BLAKE, a graduate of Bowdoin College.

WM. FRYE, *Secretary.*

Bethel, March 14, 1839. 3w31

SAMUEL F. RAWSON,

DEPUTY SHERIFF,

PARIS, ME.

All business by Mail, or otherwise promptly attended to

AN ADDITIONAL ACT regulating Jud... and Proceedings.

COLLECTOR'S NOTICE,—FRYEBURG.

NOTICE is hereby given to the owners and non-resident proprietors of the following described lands situated in the town of Fryeburg, County of Oxford, and State of Maine, that they are taxed in the bills committed to me for collection for the year 1838 in the following sums, viz:—

Non Residents names	Original proprietors names.	Lot	Division	Acres	Value.	Tax.
					$	$ c.
Robert Wiley,	Intervale on the Island			5	125	55
Harrison W. Pike,	Buildings & Land by Thompson's Mill			1	250	1,11
Wm. Gordon	John Chandler part of		4	20	400	1,77
John Merrill,	Hezekiah Austin	19	5	6	90	40
Michal Abbott,	Joseph Frye part of	23	3	5	40	18
Amos Poor,	Andrew McMillan	11	3	107	500	2,22
"	Ezekiel Walker, 4		4		50	22
Dudley Bean,	Godman land, so called			500	1250	5,55
Owner unknown,	John Charles, 2-3	4	5		45	20
Nath'l Frye,	Intervale, Jesse Frye,	11	2	32	640	2,84
"	" "	12	2	30	600	2,66
"	" "	13	2	38	570	2,52
"	" "	14	2	50	1000	4,44
"	Upland "	37	1	66	200	99
"	" "	39	1	57	400	1,78
"	Buildings & Stand "			20	750	3,33
"	" " 1/2		4	100	500	2,22
Owner unknown,	Joseph Frye,	53	4	50	150	67
Gilbert Potter,	Sam'l Osgood, Buildings on the same	54	4	55	450	2,00
Owner unknown,	John Webster,	12	5	50	120	52
"	"	40	4	85	200	89
"	Sam'l Osgood	2	2	42	200	89
Simeon Pease sup'd o'n'r,	Jno Chandler p'r's	6	3	10	100	44
Caleb Warren Jr.	" Ezekiel Walker	4	4		100	45
Heirs of O. Griswold,	School,	27	2	26	200	1,33
Owner unk.	Joseph Frye,	14		68	200	89
"	House & land occupied by John F. Whetlker,				250	1,11
David Webster	Store & lot on the Corner				800	3,77
"	Intervale, Joseph Frye,	6	1	26	650	2,88
"	" John Charles,	5	1	18	525	1,44
"	" John Webster,	4	1	19	475	2,03
"	" Ezra Carter,	18	1	19	475	2,03
"	" Joseph Frye, p't	2	1	7	175	78
"	Upland, John Webster,	2	1	9	195	60
"	" "	6	1	30	750	66
"	" Joseph Frye, 1/2	8	2	47	300	1,33
"	Intervale 1/2 "	1	1	11	275	1,22
"	" Mark Stacy, 1/2	4	4	20	200	89
"	" Ezra Carter,	19		30	120	53
Lane & Ursher,	sup'd o'n'r, S. Frye,	24	1	56		
"	John Russell,	22	1	51		
"	Mark Stacy,	23	1	55	1200	5,33
	With the buildings on the same,					
Thos. Farrington,	sup'd owner Daniel Farrington, N. E. corner,	5	8		60	26
Owner unknown,	Simeon Frye,	4	6	8	30	13
"	Ezekiel Walker,	42	6		20	8
"	Jos. Frye,	41	6		20	8
"	Jos. Hazeltine,	40	6		20	8
"	John Webster,	57	6		20	8
"	Moses Ames,	34	6		20	8
"	John Chandler,	61	6		20	8
"	Moses Day,	27	6		20	8
Oliver Whitney	Mrs Day, woods & meadow			10	100	44
Heirs of Uriah H. Davis,	House Lot near Kimball Brook,				30	13
Owner unknown,	Moses Day,	19	1	10	150	66

One piece bounded on the South East by Lovell Pond, on the North by Lot No. 28, E. Walker, on the South by Abiel Chandler, No. 29, 15 75 33

One piece bounded on the North by Kezer Pond, on the East by Ezra Carter, No. 1, and on the West by Sixth Division, No. 57, John Webster, 5 19 8

One piece South of Saco River, bounded on the South by No. 9, Andrew McMillan, West and North by No. 10, James Hazeltine, and East by No. 14, Andrew McMillan, 15 56 25

All other common and undivided land within the town, 75 33

And unless said taxes with all necessary intervening charges shall be paid to me on or before Saturday, the twenty-seventh day of July next, so much of said land will be sold at Public Auction on said day, at ten o'clock in the forenoon, at the Store of J. O. McMillan in Fryeburg as will discharge the same;

JOSHUA B. OSGOOD, Collector.

Fryeburg, March 30, 1839. 3m 34

COLLECTOR'S NOTICE---PARIS.

NOTICE is hereby given to the non-resident proprietors and owners of lands in the Town of Paris, County of Oxford, and State of Maine, that the same are taxed for the years 1837, and 1838, for County and town tax, and deficiency of Highway for the years 1836 and 1837, in the Bills committed to the undersigned Collector of said Paris, by the Assessors of said Town, and remain unpaid as follows, viz;—

Owners Names.		No. of Lot.	No. Range.	No. of acres	Value.	Tax for 1837
					$	$
Unknown	South part,	20	4	85	125	1,06
do	North do	4	1	90	225	1,91
do		19	3	110	272	2,31
Wellington Jeduthan	NW part	18	5	40	160	1,36
Unknown	NE do	19	6	80	400	3,40
Benj. Poor	part of	13 & 14	4	40	360	3,06

Delinquent Highway for 1836.

Unknown	N part	4	1	90	225	3,37
Jairus S Keith as Administrator	W. do	5&6	2	55	400	6,00
do do do	E. do	6	1	45		

For 1838.

Unknown	W. part		1	7	30	54
do	S. do	20	4	85	125	1,38
do	N. do	4	1	90	225	2,45
Dan'l Cummings	part of	18	3	5	35	39
Unknown		19	3	110	272	2,99
Ira Hilborn and Moses Allen	S. part	2	8	170	160	1,10
Heirs of Cyrus Shaw	W & E do	5 & 6	2	53	525	5,73
Unknown		15&16	6	90	750	8,25
do		13&14	4	40	300	3,30
do		25&26	2	65	175	1,93
do		25&26	2	65	175	1,93

Delinquent Highway, for 1837.

Unknown	N. part	15&16	6	90	750	8,04
do	N E do					
Berry farm so called		19				5,39
Levi Berry, Jr.	S. part	19				1,67

And unless said taxes and all necessary intervening charges are paid to me, the subscriber on or before the 22d day of July next, I shall proceed to sell at Public Auction, to the highest bidder, at the store of Hiram Hubbard, in said Paris, at one o'clock in the afternoon of said day, so much of said lands as shall be necessary to discharge the same.

LUTHER WASHBURN, Collector.

Paris, March 12, 1839. 3t

LIST OF LETTERS *Remaining in the Post Office at Paris Me. April 1, 1839.*

ANDREWS GARDNER J.—Ayer Peter—Briggs Alanson 2d—Bisbee John—Commissioners of Oxford County—Cunningham Joseph—Clifford David—Clark Sylva S.—Cole Jonas—Daniels Gilman—Dean Asa—Durell S. J. & Co—Fuller Amos 2—Farnum Simeon—Gage Moses—Hutchins Cyrus—King George—Knight Peter—Keen Lydia 2—Longley James—Merrill Isaac D.—McAllister Joseph—McAllister Benj.—Peterson Benj.—Porter Sylvanus—Penley Joseph—Prince John—Rawson Sam'l F.—Rogers Edmond—Rowe Gilman—Ryerson Job—Robinson Preston—Ryerson Eliza—Stevens Thos.—Shaw Solomon—Smith Samuel T.—Stearns Wm.—Swan Lodoiska—Stowell David B—Twitchell David—Woodward Isabel—Weeks Josiah—Weeks Clarisa. G. W. MILLETT, P. M.

FOUND.

IN the road near Levi Rawson's, about one mile north of Paris-Hill, the 31st ult, a BEAR SKIN, supposed to have been dropped from the carriage of some traveller. The owner can have the same by proving property and paying for this Advertisement, on application at this Office,

April 1, 1839.

[*Concluded From first Page.*

to incorporate the North Dixmont Flour Mill Company.

to incorporate the Kirkland Flour Mill and Manufacturing Company.

imposing additional duties upon the Surveyor General,

additional to an act providing for the government of the State Prison and for the punishment of convicts.

in addition to an act respecting the offices and duties of the Attorney General and County Attornies.

in addition to the several acts now in force regulating Ferries.

regulating the taking of Fish in Alewive Brook in the town of Cape Elizabeth.

to incorporate the proprietors of the Great Works Bridge.

to incorporate the Athens Flour and Grist Mill Company.

to incorporate the Livermore Falls Bridge.

for assessing and taxing Turnpike in the towns through which they pass.

to change the name of Adam Julian Kurek.

additional to, and explanatory of the several acts now in force for the relief of Poor Debtors.

to provide in part for the Expenditures of Government.

to encourage the rearing of oxen.

additional to an act to organize, govern and discipline the Militia of this State.

to incorporate the South Paris Aqueduct Company.

to incorporate the George's Canal Company.

additional to an act to incorporate the City of Bangor.

to abolish the Municipal Court in the city of Bangor and establish a Police Court in said city.

to incorporate the Kennebec Stage Company.

additional respecting the Rumford, Bethel and Oxford Bridges.

to incorporate the Portland and Spencer Stream Lumbering Association.

in addition to an Act incorporating the Kennebec Ferry Company.

to incorporate the Anson Woolen Manufacturing Company.

to provide in part for the Expenditures of Government.

TITLES OF RESOLVES.

RESOLVE in favor of James Small.

——repealing a Resolve constituting the State Treasurer an auditor of accounts against the State.

——authorizing the Land Agent to exchange certain lands with Massachusetts.

——in favor of Harvey E. Robinson.

——in favor of Amos Davis, assignee of Nath'l Haskell.

——for procuring indices to the Public Documents.

——in favor of the town of Lexington.

——providing for the repair of Gunhouse in Turner.

——relating to trespassers upon the Public Lands.

——in favor of the People's Bank of Bangor.

——in favor of Amos Doane.

——making appropriation of lands for officers and soldiers of the Revolution and their widows.

——in favor of Hannah Fogg.

—— " " Samuel G. Bodfish.

—— " " Moses Saunders, Jr.

—— "authorizing a loan in behalf of the State.

——in favor of the Aroostook Road.

—— " " Sebattis Neptune.

——additional to the Resolve relative to the annual School Fund.

——in favor of the town of Lyman.

—— " " Damariscotta Bank.

—— " " Enoch Strout of Hollis.

——authorizing a temporary loan in behalf of the State of Maine.

——authorizing an exchange of State securities

——in favor of Mary Edwards and Deborah Ames.

——providing for the repair of the Baring and Houlton Road.

——in relation to the North Eastern Boundary.

——for the erection of a Gunhouse in Garland.

——for the erection of a Gunhouse in Lincoln.

——in favor of Nicholas Pierce.

—— " " George Williston.

—— " " William M. Jordan.

—— " " John G. Deane and others.

—— " " Appollos R. Gilmore.

—— " " Peace Wentworth.

——for the protection of the Public Lands.

——additional relating to trespassers upon the Public Lands.

——in favor of the State Road from the town of Wilson to Moose Head Lake.

——authorizing the County Commissioners for Hancock County to hire money for certain purposes.

——for the reconnosisance and survey of a route for a Rail Road from Portland to Lake Champlain.

——authorizing the County of Piscataquis to borrow money on credit of the County.

——making appropriation for military purposes.

——authorising the sale of a Gunhouse and site in Castine.

——in favor of Isaac Smith.

——authorizing the sale of ordnance and ordnance stores in the Arsenal at Portland.

——for the preservation and repair of the Mars Hill Road.

——relating to the tax due from the Waldo Bank.

——for the payment of Bounty to Penobscot Indians upon agricultural productions.

——in favor of Francis Eneas.

—— " " Benjamin C. Atwood.

——for the payment of Bounty to the Passamaquoddy Indians upon agricultural, productions.

——providing for the appointment of Hospital Surgeons.

——respecting the appointment of Military storskeepers and for other purposes.

——concerning the Public Money.

——in favor of William Shed.

——for the extension of the Aroostook Road

——authorizing a Loan in behalf of the State.

——in favor of James Lawrence.

—— " " Robert Maxwell.

—— " " the American Antiquarian Society.

—— " " the inhabitants of the Forks of the Kennebec River.

——for the appointment of a Commissioner to take evidence in certain casses.

——for the repair of the Gunhouse in Boothbay.

——authorizing the sale of certain lands.

——in favor of the town of Appleton.

—— " " Albert Wyer of Durham.

—— " " Daniel Brown.

——for the erection of a Gunhouse in Warren and to authorize the acting Quarter Master General to dispose of the present Gunhouse in said town.

——proposing an amendment to the Constitution of the State.

——providing for the survey of Lands on the Aroostook road and river for settlement.

——for opening a Road from Houlton to the Aroostook River.

——in favor of Solomon Clark.

—— " " Elizabeth Baker.

—— " " Samuel Dow

——for furnishing Books to the town of Mattamiscontis.

——in favor of Samuel Baker.

——laying a tax on the several Counties in thisState.

——for the publication and distribution of an Abstract of the Returns of Common Schools.

——declaring the charter of the Bank of Oldtown forfeit and void.

——in favor of the Counties of Franklin, Piscataquis and Aroostook.

——for the repair of Gunhouse in Farmington.

——in favor of John Freeze.

——for the relief of Eleanor Gray.

——establishing the pay of the Militia when in actual service.

——requiring the Secretary of State to publish a list of the stockholders of the Banks in this State.

——for furnishing incorporated towns and plantation with Books.

——in relation to the field in front of the State House.

——in favor of the Insane Hospital.

—— " " Joseph Pomery.

—— " " Nathaniel Hutchins.

——for the benefit of the town of St. George.

——authorizing the Treasurer of State to audit and pay accounts for bounty on Wheat and Corn returned to the Legislature after the 10th of March, 1839.

——in favor of Franklin Rollins.

—— " " James Perkins.

—— " " James B. Cahoon.

—— " " Samuel Daggett.

—— " " William Smart.

—— " " Cotton Ward and William Rust.

—— " " the town of Corinna.

" " " " " Sebec.

" " " Benjamin Partride and Jedediah Pratt.

" " " Jeremiah Smith.

" authorizing the Treasurer of State to pay interest upon all sums of money due from State to the several cities, town and plantations therein.

" to authorize the Treasurer to issue certificates to cities, towns and plantations in certain cases.

" relating to the State Prison.

" for payment of bounty on Wheat and corn.

" for making appropriation for the purpose of procuring books of instruction in military tactics.

" relating to the Public Domain.

" providing for the distribution of the Report of the Geological Survey.

" in relation to the State Library.

" for the payment of accounts against the State.

" relating to lands conveyed by the State

" relating to trespassers upon the Public Lands.

" in favor of Rebecca Smith.

" " Daniel Moulton 3d.

" relating to pay of certain officers and Agents.

" in aid of Deaf and Dumb.

" additional for the aid of the Indigent Blind.

" on the Pay Roll of the Senate.

" " " House of Representatives.

" in favor of P. M. Garcelon.

" " " the non-commissioned officers and soldiers of the Militia of Maine.

" authorizing a requisition upon the several Banks in this State.

" in relation to the State Loan.

" in favor of the towns of Liberty and Freedom.

" in favor of Joseph D. Roberts.

Surmise is the gossamer that malice blows on fair reputations; the corroding dew that destroys the choice blossom. Surmise is the squint of suspicion, and suspicion is estabished before it is confirmed

---

Major General Macomb will leave Washington this day to take the chief direction of affairs in Florida. His stay there depend upon circumstances which cannot be known until after his arrival in the Territory.

Gen. Taylor will remain on duty in Florida.

There is no truth in the report, as mentioned in several papers, that two companies of dragoons were ordered from Carlisle to Maine.—*Army and Navy Chronicle of the 21 inst.*

DOCT. JOHNSON'S

AMERICAN

ANODYNE LINIMENT,

OR

Liquid Opodeldoc,

PREPARED AND INTENDED FOR

***Internal & External* use;**

FOR SALE BY

W. E. GOODNOW,

NORWAY.

THIS article has become a STANDARD MEDICINE, and enjoys the high privilege of being known and patronized by a great portion of the Medical Faculty throughout the State of Maine.

The inventor and proprietor of this preparation was in the regular and constant practice of medicine for twenty years—has been preparing this article for the last fifteen years, and, with full confidence, offers it to the public as the result of his EXPERIENCE and best efforts.

No better remedy can be taken in all cases where an anti-spasmodic is needed; such as hard dry Cough, Hooping Cough, Hoarseness, and common Colds, Pain and Soreness in the Lungs, Stomach and sides, caused by lifting or otherwise; for Strangiury, Asthma and Influenza; for sore Throat, weak Lungs, &c. &c.

Externally it will have the most happy effects in all cases where any other Opodeldoc would be used, especially for Chilblains, Cracked Hands, and sore Lips.—There is nothing of equal efficacy to this for Horses and Oxen, where they are corked, cut, bruised, strained or chafed by the harness, for Ringbones, &c. and it possesses more than double the power of any other Opodeldoc.

Price 37½ cents.

—ALSO—

JOHNSON'S

RED OINTMENT,

A certain cure for the

ITCH, TETTERS, RINGWORM, SCALD-HEAD

and a great variety of Cutaneous Eruptions. Always safe. Price 25 cents.

March 22, 1836. eow3w32

NOTICE.

AT a legal meeting of the proprietors of the Canton Point Bridge holden on the 23d instant, the said proprietors voted an assessment of Ten Dollars on each share, for the purpose of paying the debts of said corporation, which are now called for, one half of said sum to be paid in thirty days from the above date, and the other half on the 30th day of June next.

THE subscriber, Treasurer of said corporation, hereby gives notice to said proprietors, to pay him said sums on or before the times abovenamed.

CORNELIUS HOLLAND, } Treasurer of said
Dated at Canton, Feb. 27, 1839. Corporation. 3w29

HOUSE FOR SALE.

FOR SALE, the House and other buildings now occupied by the Rev. C. Soule in Norway-Village. Terms reasonable. Possession will be given on the first of May next. For further particulars enquire of

W. E GOODNOW.

Norway, March 6, 1839. 4w30

FREEDOM.

I HEREBY certify that I have given to GEORGE W. YOUNG his time, hereby relinquishing all claim to his earnings, and authorizing him to receive for his own benefit the proceeds of all his labor, and shall pay no demands after this date.

CHARLES YOUNG.

Attest · JARED YOUNG.
Greenwood, February 28, 1839. 2w29

CAUTION.

THE subscriber having contracted on the 19th inst. with the Overseers of the Poor for the Town of Bethel in the County of Oxford, for the support and maintenance of Mr. John Estes, & Elhanan W. Sprague, Paupers of said town, and as suitable provision has been made for the same, this is to forbid all persons harboring or trusting them on his account, as he will pay no debts of their contracting. MOSES BARTLETT.

Bethel, March 20, 1839. *3w32

SHERIFF'S SALE.

OXFORD, ss:—Taken on Execution, and to be sold at public Vendue at the Store of Long & Loring in Buckfield in said County on Saturday the fourth day of May next, at two o'clock P. M. all the right which Nathan Farrar of said Buckfield has in equity to redeem a certain parcel or tract of land situated in said Buckfield, and being the same premises which are described in said Farrar's Mortgage Deed to Benjamin F. Spalding, dated Sept. 19, 1837, and recorded in the Oxford Registry of Deeds Book 53, page 393, to which reference is had: mortgaged to secure the payment of $40,66.—Said tract containing fifteen acres, as stated in said deed.

ISAIAH WHITTEMORE, Deputy Sheriff.
Paris, March 23, 1839. 3w32

NOTICE.

PERSONS residing in the District of the Post Office at Norway, Me. are respectfully informed, that on account of the interesting character of the news at the present time, and of the wishes of the people to receive their Letters, Newspapers, &c. at the earliest moment and at such hours as may suit their convenience, extra attention and diligence will be devoted to the care of the Office, and that hereafter said Office will be constantly open for the delivery of Letters, Newspapers &c. from six o'clock in the morning until nine o'clock in the evening. WILLIAM REED, P. M.

By JONATHAN B. SMITH.

Norway-Village, March 21, 1839. 4w32

HENRY M. GODMAN,

DEPUTY SHERIFF,

NORWAY, ME.

All business communicatad by Mail, or otherwise, promptly attended to *3*29

NEW LIME

CONSTANTLY on hand and for sale by the subscriber. W. E. GOODNOW.

Norway, Feb. 16, 1839. 4w27

BLANKS FOR TOWN ORDERS

FOR sale at this Office.

Feb. 26.

COLLECTOR'S NOTICE,—GREENWOOD.

NOTICE is hereby given to the owners and non-resident proprietors of the following described lands situated in the town of Greenwood, County of Oxford, and State of Maine, that they are taxed in the bills committed to me to collect for the year 1838, in the following sums, viz:—

Lands in the south part of the Town formerly known by the name of the Moxters & Haskalls Grant.

Owners names supposed.	No. to Lot.	No. Range	No. Acres	Value.	Tax	Delnt. Tax 1837	Total
Daniel Town or unknown	1		73	70	1 00		1 00
Formerly to A Town W. end	3		50	32	65		65
In the south part of the Town formerly known by the name of Phillips Academy half Township.							
Formerly to J. Merrill unk	12	2	23	20	65		65
J. Dorry or unknown	5	9	59	70	1 75		1 75
do do	5	8	100	30	75		75
Unknown West end	6	11	50	20	50		50
Ezekiel Dustin or unknown	5	1	105	28	70	1 26	1 96
Levi B. Whitney do	4	1	100	25	60	1 27	1 96
In the north part of the Town of Greenwood formerly known by the name of Raymond Grant.							
Charles Potter or unknown	3	1	100	25	62	1 12	1 74
do do	4	1	100	25	62	1 12	1 74
do do	7	1	100	25	62	1 12	1 73
do do	3	5	100	25	62	1 12	1 74
do do	3	7	100	20	62	1 35	2 10
do do	2	5	100	25	62	1 12	1 74
S. Brown do	7	3	100	30	75	1 85	2 10
D. P. Dudley or unknown	14	9	66	20	50		50
T. Merrill do	13	9	75	25	72	1 12	1 75
Z. Whitman N end or unk	10	7	25	20	50		50
do do do	11	7	25	20	50		50
J. C. Beckler do	10	1	100	25	62		65
Walker & Stearns or unk	on the East side of the road near Luck's Mills	11	21-2	10	25		25
Leonard Cole or unknown	9	6	40	38	75		75
J. & H. Whitman do	11	4	45	45	1 12		1 12

Unless said taxes with all necessary intervening charges shall be paid to me, the subscriber, on or before Tuesday the eighteenth day of June next, at nine of the clock in the forenoon, so much of said land, as will be necessary to pay the same, will be sold at public Vendue, at the store of the subscriber in said town of Greenwood. JOSEPH STEVENS, Collector

Greenwood, March 12, 1839. [332] of Greenwood.

COLLECTOR'S NOTICE,—GREENWOOD.

NOTICE is hereby given to the owners and non-resident proprietors of the following described lands situated in the town of Greenwood, County of Oxford, and State of Maine, that they are taxed in bills committed to me to collect for the year 1837, in the sums following, viz:—Lands laying in the south part of the town formerly known by the name of Mosier and Haskell's grant:

Owners names supposed.	No. to Lot.	No. Range	No. Acres	Value.	Tax	Delnt. Tax 1838	Total
Daniel Town	1		73	70	1 76		1 76
do West end	3		50	32	66		66
Non-resident proprietors land laying in the south part of Greenwood formerly known by the name of Phillips Academy half township taxed							
S. Merrill formerly	12	2	23	20	72		72
Non-resident proprietors land laying in the north part of the town of Greenwood, formerly known by the name of Raymond's Grant taxed.							
James Walker	3	1	100	30	80	1 20	2 00
Charles Potter or unknown	3	1	100	25	70	1 30	2 00
do	4	1	100	25	70	1 30	2 00
do	5	1	100	25	70	1 30	2 00
do	5	1	100	25	70	1 30	2 00
do	3	4	100	30	80	1 60	2 40
do	12	6	100	25	70	1 30	2 00
A Merrill or unknown	13	9	75	25	70	1 30	2 00
Unknown	10	4	100	25	70		70
Levi B. Whitney	4	1	100	28	78		78
Unknown	5	5	60	75		2 20	2 20
do	10	6	35	25		1 30	1 30
do	2	5	100	30		1 56	1 56
do	3	5	100	30		1 56	1 56
do	12	1	100	75		3 10	3 10
do	2	2	100	45		2 33	2 33
do	9	7	100	65		1 69	1 69

And unless said taxes with all necessary intervening charges shall be paid to me the subscriber, on or before Tuesday the 18th day of June next, at ten of the clock in the forenoon, so much of said land as will be necessary to pay the same will be sold at public Vendue at the store of Joseph Stevens, Esq. in Greenwood.

SILAS BILLINGS, Collector of Greenwood.

Greenwood, March 12th 1839. 3w32

COLLECTOR'S NOTICE,—STONEHAM.

NOTICE is hereby given to the non-resident proprietors and owners of lands in the town of Stoneham, in the County of Oxford and State of Maine, that they are taxed in bills committed to me to collect for the year 1838, respectively, in the respective sums following:—

Owners unknown,	No Lots	No. Divis	No Range.	No. Acres.	Value.	Tax. $ c.
do	27			75	1	62
do	23			101	2	65
do	29			25	1	62
do	31			100	4	10
do	30			75	4	10
do	32			100	5	12
do	33			100	35	89
do	35			25	6	15
do	Gore			150	45	1 14
do	73			50	1	62
do	87			75	3	67
do	98			75	3	67
do	108			100	1	62
do	101			100	30	78
do	103			100	40	1 02
do	108			100	30	77
do	109			100	7	18
do	104			100	4	10
do	3	2	5	100	25	64
do	1	3	D	100	45	1 14
do	4	3	D	60	25	64
do	5	5	D	30	30	77
do	3	1	9	100	50	1 28
do	113			100	25	65
do	3	3	D	100	40	1 02
do	17	1	4	50	45	1 14
do	11	1	3	25	23	58
do	2	2	4	100	15	38
do	7	1	9	107	25	64
do	7	1	10	100	25	64
do	87			100	30	97
do	79			100	4	10
do	121			51	30	77
do	12	4	2	50	25	64
do	3-4	1	3	75	71	1 81
do	17	1	2	50	35	1 14
do	5	3	C	100	30	77
do	6	6	C	70	22	56
do	89			100	4	10
do	7	1	3	108	80	2 40

Notice is further given that I shall proceed according to law to sell at public Auction to the highest bidder at the School House in District No. 4, in said town, at ten of the clock in the forenoon on Monday, the fifth day of August next, so much of said lands as shall be sufficient to discharge all of said tax and necessary intervening charges, if no person shall appear on or before that time to discharge said taxes and intervening charges.

HENRY SAWYER, Collector.

Stoneham, March 15, 1839. 3w32

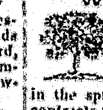
NOTICE.

THIS is to forbid all persons harboring or trusting William Shackley, a Pauper of the town of Norway, on my account, as I have made suitable provision for his maintenance, and shall pay no debts of his contracting after this date

RUFUS BRIGGS.

Norway, March 14, 1839. *3w31

W. W. PRICE & SONS



WILL make sales of Trees & Cuttings of the Genuine Chinese Morus Multicaulis, Morus Exparsas Alpine, Bronssor Canton and other varieties, delivered to the purchasers immediately or at such period in the spring as is convent to them and will enter into contracts accordingly. Prices and Terms for the Trees and Cuttings will be forwarded to all who may apply for them by Mail, as well as prices of Silk Worms Eggs, Mulberry Seeds, &c. The Multicaulis Trees are remarkably vigorous, and as we first imported the Genuine tree, purchasers are sure of obtaining the true kind. It is from this cause and from the great attention paid by them that the trees they have sold have given universal satisfaction.

N B. Fruit and Ornamental Trees, Plants & Seeds can be supplied to any extent.

Flushing, near New York.

March 25th 1839. 133

LOST

ON the road from Paris to Portland, and supposed between the residence of the subscriber in Paris and Hobbs' Tavern in Gray, a small sized red morocco POCKET BOOK, containing several Receipts, Bills, Certificates, &c. bearing the subscribers name, a *depreciated* one dollar Bank Note on a Rhode Island Bank, and numerous other papers of no value to any one except the owner. Any person finding said Pocket Book and returning it, or giving information to the subscriber where it may be found shall be suitably rewarded.

ELBRIDGE FORES.

Paris, April 1, 1839. 6w(33)

SOMETHING TO

THINK ABOUT.

PAIN cannot exist but from *Corrupt Particles* being created in the identical part where the pain is experienced. These corrupt particles when in great volume (generally) are the *Positive cause of death.*

It is a solemn truth that corruption terminates the existence of all created beings; the importance of its speedy removal from the body, when by any causes it has accumulated, is therefore self evident; not only *Health*, but existence, being also nearly endangered by its existence.

Let us then acknowledge that the only sure means of preventing and curing disease, is the speedy removal of *Corrupt Humors* from the body. *Disease* being only another name for *Corruption*, and *Corruption* or *Corrupt Humors* being identified in all cases as *Impurity of Blood.*

Purgative Medicine, when resorted to in season, that is while there is there is sufficient vitality remaining in the system, will certainly remove corruption; thus the blood is purified; thus chronic diseases and premature death are prevented; thus those whose lives are of the utmost consequence to their country, and families, are often saved.

The importance of this discovery of curing diseases after ages will do justice: Dr. Benjamin Brandreth will not then be styled an 'ignorant pretender.' But that will neither please nor offend him; in the rectitude of his own acts, in the quiet of his own conscience, is his reward. And he gives this his *solemn pledge* that his medicine shall be always equal to what it ever has been; and that no expense shall be spared in its manufacture—and the making of it he attends to personally.

SYNOPSIS OF FACTS.

BRANDRETH'S PILLS are universally used in every section of this whole extended country where they are made known. Upwards of fourteen thousand cases of cure have been certified as having been effected solely from their use since the introduction of them into the United States establishing the fact beyond all doubt that the Brandreth Pills cure the (apparently) most opposite diseases by the one simple act of continually evacuating the bowels with them, until the disease gives way; therefore, whatever may be said of the *theory*, the *utility* of the *practice* is now *beyond all doubts.*

Dr. B. allows that the curative effect depends on the *Purgative Qualities* of the *Brandreth Pills*; experience and a continuation of experiment for upwards of forty years have made them the most judiciously balanced purge known. Therefore, however long it may be necessary to persevere with them for the removal of any disease, no other than good can possibly result from their use—they are perfectly innocent.

The healthy as well as those suffering from disease should use them—the former to keep their blood pure and vigorous, and the latter to remove all noxious accumulations without weakening the system. The only care that is required is to procure the genuine Brandreth Pills, and you cannot fail to procure the genuine if you take the following advice:

How to be secure from Counterfeits.

Never purchase Brandreth's Pills without being positively sure that the person selling has an *Engraved* certificate of Agency, and observe it has been renewed; no Certificate being any guarantee after twelve months from date that Pills sold by the holder are genuine.

All Pills having Wm. Brandreth on the label, and George Hodgkinson on the edge, are counterfeits, are to *deceive the Public*, and evade the law at the same time.

These, and indeed, *all* counterfeit Pills, if used according to the directions which accompany my Pills, are calculated to DESTROY LIFE. They are made by men having no standing or respectability, without habitation or name—perfectly careless of consequences, provided money is obtained.

[Extract from Dr. B's Address to citizens of the U. S.]

And be careful to remember that I have never authorized pedlars in the United State to sell my Pills. These contemptible *persons* universally sell counterfeits, and that all Tradesman who are made agents, have each of them a COPPER-PLATE certificate of agency, signed in writing with a pen by me; and which certificate requires renewal every twelve months, it being no guarantee for more than one year from date—observe the date is not WRITTEN, it is ENGRAVED.

B. BRANDRETH, M. D.,
241 Broadway, New York.

Dr. B. Brandreth, has at very great expense, established the following offices for the exclusive sale of his Vegetable Universal Pills, which he begs to be understood shall be always equal to what they have been, and that no expense shall be spared in their manufacture. This he guarantees on his honor.

New York. (Principal)—241 Broadway.
Philadelphia—8 North Eighth Street.
Baltimore—80 South Charles Street.
Boston—19 Hanover Street.
Albany—Corner of Green and Hudson Streets.
Pittsburg, Pa.—154 Wood Street.
Cincinnati—119 Main Street.
Louisville, Ky.—98 Fourth Street.
St. Louis, Mo.—56 1-2 Market Street.
New Orleans—3 Old Levee.
Charleston, S. C.—70 Meeting Sterrt.
Montreal—63 Notre Dame.

Sub Agents in Maine will hereafter receive their supplies from the New England Office

19 HANOVER STREET 19

THE ONLY OFFICE IN BOSTON FOR DR. BENJAMIN BRANDRETH'S VEGETABLE UNIVERSAL PILLS,

Or of MR JOHN O. LANGLEY,

Who is DR. BRANDRETH'S duly authorized Travelling Agent for the State of Maine.

The following are the ONLY Agents in Oxford County furnished with the Genuine Pills. *Buy of them and avoid deception.*

Paris—CROCKER & SHAW.
So. Paris—A. Hall, Jr.
Buckfield—A. F. Cole.
Rumford—Otis C. Bolster.
" Asa Grahain.
Dixfield—J. N. & C. Stanley.
Jay—Joel Paine.
Bethel—J. K. Kimball.
Livermore—Britton & Morrison.
" J. Coolidge.
N. " Kimball & Walker.
Woodstock—Welcome Kinsley.
Hartford—Hall & Haines.
Greenwood—Welcome Kinsley.
Albany—Lovejoy & French.
Turner—Philo Clark.
Norway—Jotham Goodnow.
Lovell—James Walker.
Waterford—Noyes & Noble.
S. " R. H. Gerry.
Sweden—Benjamin Nevers.
Fryeburg—H. C. Buswell.
Porter—John Higgins.
Hiram—Joseph Butterfield.
Canton Mills—J. M. Deshon.
Oxford—Charles Durell.

B BRANDRETH, M. D.
241 Broadway, N. Y.
Sole proprietor of Brandreth's Vegetable Universal Pills.
epol;32

EASTERN ARGUS, *Extra.*

PUBLIC LAWS
OF THE
STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND THIRTY NINE.

AN ACT additional to the several Acts now in force relating to the partition of real estate.

SEC. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That in any process for the partition of real estate or lands, when it shall appear to the Court before which such process is pending, that there are lots reserved in such lands for public uses, and said Court shall order and decree that partition be made, said Court shall order and direct that the Committee who may be appointed to make partition, shall first set off by metes and bounds the lots reserved for public uses of an average quality and situation of the lands of said tract, and shall make and return into the Land Office of the State a plan of the land so set out as public lots, with a description of its quality and location; and then proceed to set off the share or shares of the petitioners from the residue; and make return of their doings as now provided by law, which being accepted by said Court and recorded as now provided by law, shall be valid to all intents and purposes, as a location of said reserved lands.

SEC. 2. Be it further enacted, That all Acts and parts of Acts inconsistent with the provisions of this Act be and hereby are repealed. [Approved by the Governor, January 26, 1839.

AN additional Act exempting certain goods and chattels from attachment, execution and distress.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That from and after the passage of this Act, all anthracite coals and all bituminous coals and all charcoal that may have been conveyed to the house of any person for the use of himself or herself and family shall be exempt from attachment, execution and distress; Provided that but five tons or chaldrons of anthracite or bituminous coals, and fifty bushels of charcoal shall be exempted as aforesaid, and that only when used for domestic purposes.—[Approved by the Governor, January 26, 1839.

AN ACT additional to promote the sale and settlement of the Public Lands.

SECT. 1 Be it enacted by the Senate and House of Representatives in Legislature assembled, that the Land Agent is hereby vested with the same power and authority to sell the timber upon the lands belonging to this State, that he now has to sell the timber on the lands belonging to this State and Massachusetts, in conjunction with the Land Agent of said Massachusetts by virtue of a Resolve, approved March ninth, one thousand eight hundred and thirty-two.

SECT. 2 Be it further enacted, That from and after the passage of this Act, all Acts and parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed. [Approved by the Governor, January 29, 1839.

AN ADDITIONAL ACT respecting the repair and amendment of highways.

SECT. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That so much of the second section of an Act passed March twenty-second, eighteen hundred and thirty-six, entitled "An Act additional to an Act directing the method of laying out and making provision for the repair and amendment of highways," as imposes a penalty upon the several cities, towns and plantations in this State for the neglect of city, town and plantation officers to perform certain duties prescribed in said section, be and the same hereby is repealed.

SECT. 2. Be it further enacted, That this Act shall take effect and be in force from and after its approval by the Governor. [Approved by the Governor, January 29, 1839.

AN ACT additional to an Act to regulate the jurisdiction and proceedings of Courts of Probate.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That the Judges of Probate, in their respective Counties shall have the same power which the Courts of Common Law have, to authorize executors and administrators to make deeds in order to complete or carry into effect contracts or covenants made by their testators or intestates, whenever it shall be made to appear to them on petition of any person or persons contracted with by bond, covenant or other contract, that a testator or intestate on his or her life time entered into such bond, contract or covenant, to convey some real estate to him or her, but was prevented by death, upon the same conditions and subject to like provisions. [Approved by the Governor, February 1, 1839.

AN ACT for the limitation of criminal prosecutions.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That no person shall be prosecuted, tried or punished for any crime, except murder, manslaughter, treason and arson, unless the indictment for the same be found within six years next after the offence shall have been committed; Provided that nothing in this Act shall extend to any person fleeing from justice, nor to any indictment now pending, nor to any crime which shall have been committed before this Act shall take effect. [Approved by the Governor, February 6, 1839.

AN ACT additional to an Act concerning Dower.

SECT. 1. Be it enacted by the Senate and House of Representatives, in Legislature assembled, That when any woman is entitled to dower in land, of which any corporation is seized, she may recover the same, by a writ of dower after she shall have made a demand in writing of her dower of any officer of such corporation, or whom by law a writ in a civil action may be served; and she shall not commence her action therefor before the expiration of sixty days, nor after the expiration of one year, from such demand; but this shall not preclude her from making a new demand, and commencing an action thereon

SECT. 2. Be it further enacted, That when any woman shall bring her writ of dower, the defendant may plead in abatement but not in bar, that he is not tenant of the freehold. [Approved by the Governor, February 6, 1839.

AN ACT additional to provide for the [illegible] and inspection of pickled fish and fish.

SECT. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That from and after the passage of this Act, it shall be lawful for Inspectors of Fish, in addition to the size of casks already authorized, to pack and brand split pickled fish in quarter barrels, containing each fifty pounds, and in tenths of barrels, or kids, containing each twenty pounds—the quality of said fish to be branded in the same manner as is now directed by law.

SECT. 2. Be it further enacted, That all pickled or smoked fish, which shall have been duly inspected in the State or country in which said fish shall have been packed, may be sold or exported from this State, without re-inspection.

SECT. 3. Be it further enacted, That it shall be the duty of Inspectors of Fish to make their returns to the Secretary of State under oath.

SECT. 4. Be it further enacted, That so much of the Act, providing for the Inspectors of pickled and smoked fish, approved March twenty second, eighteen hundred and twenty one, as is inconsistent with this Act, be and the same is hereby repealed. [Approved by the Governor, February 6, 1839.

AN ACT additional for the support and regulation of Mills.

SECT. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That the toll for grinding, cleansing and bolting all sorts of grain, shall not exceed one sixteenth part thereof.

SECT. 2. Be it further enacted, That every person who shall offend against the provisions of this Act, shall forfeit the sum of Five Dollars, to be recovered with costs by an action of debt, to the use of any person who shall sue for the same. [Approved by the Governor, February 8, 1839.

AN ACT for the relief of sureties on Poor Debtor's bond in certain cases.

SECT. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That in any action now pending, or which may be hereafter commenced, in the Supreme Judicial Court or Court of Common Pleas, on a bond given by any execution debtor or any person arrested on a warrant of distress, for discharge from arrest or imprisonment, if it shall appear that prior to the breach of any of the conditions of the same, the principal in such bond had been allowed by two Justices of the Peace quorum unus, or two Justices of the Peace and quorum, or a Justice of the Peace and a Judge of any Municipal Court, to take and had taken before such Justices the Poor Debtor's oath, after notice of the intention of such debtor to disclose the state of his affairs and to take such oath issued by a Justice of the Peace upon the application of such debtor, or by written notice signed by the debtor himself, and served upon the creditor named in the bond or upon the Attorney of such creditor, the defendants shall have a right to have such action tried by a Jury, who shall find and assess the damages, if any, the Plaintiff has sustained, or if in their opinion, he has not sustained any damages they may return a verdict for the Defendants, notwithstanding there may have been in law a breach of the conditions of the bond. And the Plaintiff in such action may introduce any proper evidence tending to show, that the surety or sureties of such debtor had in his or their hands and possession at the time of the administration of said oath to said debtor, personal property, money, debts, credits or real estate of the property of such debtor, sufficient in whole or in part to pay the execution referred to in said bond. And if the Jury shall find a verdict for the Plaintiff, judgment shall be rendered on the same without regard to the penalty in such bond.

SECT. 2. Be it further enacted, That in any such action now pending, or which may be hereafter commenced, before a Justice of the Peace, or before the Judge of any Municipal Court, either party shall have a right to introduce all such evidence as is authorized to be introduced by the first section of this Act, and the Justice or Municipal Judge shall enter judgment for such damages as he shall find the Plaintiff has sustained without any regard to the penalty in such bond. And all such actions, brought by appeal to the Court of Common Pleas, shall be tried in the same manner as if originally commenced in said Court; Provided, however, that in no case shall the Jury or Justice or Municipal Judge give to the Plaintiff a greater sum, in damages, than the amount of the debt and cost mentioned in the execution referred to in such bond, and interest on the same, together with the officers' fees thereon.

SECT. 3. Be it further enacted, That this Act shall take effect from and after its passage, and all acts and parts of acts inconsistent with the provisions of this Act be and hereby are repealed. [Approved by the Governor, February 8, 1839.

AN ACT limiting the powers of County Commissioners.

SECT. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That from and after the passage of this Act, no board of County Commissioners shall have power to lay out any road, or part of road, in any town or plantation in this State, unless said road or part of road shall connect said town or plantation with some other town or plantation, or unless said town or plantation shall refuse to lay out a road for any person or persons from some town or County road to the lot or lots of land on which such person or persons may live.

SECT. 2. Be it further enacted, That all Acts and parts of Acts, inconsistent with the provisions of this Act, be and the same are hereby repealed. [Approved by the Governor, February 8, 1839.

AN ACT further regulating Judicial Process and Proceedings.

SECT 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That in all personal or transitory actions, where the plaintiff shall live without, and the defendant within the State, such actions shall be brought in the County where the defendant lives.

SECT 2. Be it further enacted, That in all suits against the Inhabitants of a County, the writ or other process may be served by leaving an attested copy thereof by the proper officer with one of the County Commissioners or the Treasurer of such County, thirty days before the return day thereof; in all suits against a school district, the same may be served by leaving an attested copy thereof with the Clerk of such District, or if there be no such Clerk, by posting such copy on the outer door of the school house of such district, thirty days before the return day; and in all suits against any corporations other than those above mentioned, and those corporations where a mode of service is now prescribed by law, the same may be served by leaving an attested copy thereof with the Clerk, Cashier, or Secretary, or any other officer or agent having charge of the business of such corporation, thirty days before the [illegible] day. And in [illegible] such officer shall within the [illegible] copy to be left with [illegible]

SECT. 3. Be it further enacted, That when-ever the defendant in any suit now pending, or which may be hereafter commenced, shall be summoned on the Trustees of the plaintiff in such action, the same shall stand continued to await the disclosure of such Trustee, unless for good reasons shown, the Court shall otherwise order. [Approved by the Governor, February 15, 1839.

AN ACT to repeal "An additional Act concerning the collection of taxes."

Be it enacted by the Senate and House of Representatives in Legislature assembled, That an Act approved March sixth, eighteen hundred and thirty eight, entitled "An additional Act concerning the collection of taxes," be and the same hereby is repealed. And this Act shall take effect from and after its approval by the Governor. Provided, however, that this Act shall not be construed to affect any action now pending under the provisions of the Act hereby repealed. [Approved by the Governor, Feb. 20, 1839.

AN ACT additional to the several Acts to secure to owners their property in logs, masts, spars, and other timber.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That if any person shall take, carry away, or otherwise convert to his use, without the consent of the owner, any log or logs suitable to be sawed or cut into boards, joists or other timber, or any mast or spar, the property of another, whether the owner thereof be known or unknown, lying or being in any river, pond, bay, stream, or inlet, or on or near the bank or shore thereof, he shall be liable to all the penalties of the Act to which this is additional, passed on the first day of April, one thousand eight hundred and thirty one. And if any person shall fraudulently and wilfully take and convert any log, mast, spar, or other lumber, which had been put into any lake, pond or stream, for the purpose of being driven to market or place of manufacture, and which had floated or been driven on to the bank or shore of such lake, pond, or stream, he shall be liable on indictment and conviction to be adjudged guilty of larceny, and shall be subject to the punishment prescribed by the Act to which this is additional, passed on the first day of April, one thousand eight hundred and thirty six. [Approved by the Governor February 20, 1839.

AN ACT additional to "An Act for the protection of the Mattanawcook and Military Roads."

Be it enacted by the Senate and House of Representatives in Legislature assembled, That any cart or wagon, drawn by two horses or two oxen only, and carrying a load not exceeding fifteen hundred pounds, may pass over any part of the Mattanawcook State road or Military road, in this State, any thing in the Act to which this is additional to the contrary notwithstanding. [Approved by the Governor, Feb. 20, 1839.

AN ACT additional to "An Act respecting mortgages and the rights in equity of redemption.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That when an entry for breach of the condition of a mortgage of real estate shall hereafter be made without judgment, and the same shall be acknowledged in a writing signed by the mortgager or his assignee, or when such entry shall be made in presence of two witnesses, such witnesses shall sign a certificate specifying the fact of such entry and the time thereof; which writing signed by the mortgagor or his assignee and said certificate, respectively, shall be recorded within thirty days from the date thereof in the office of the Register of Deeds in the County where the land lies: and unless so recorded within said time such entry shall not be effectual in law for the purpose of foreclosing such mortgage. [Approved by the Governor February 20, 1839.

An Act to abolish the Court of Common Pleas, and establish District Courts.

SEC. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That there be, and hereby is established a District Court, which shall be holden by one Justice; and shall have original and exclusive jurisdiction of all civil action where the debt or damage demanded does not exceed the sum of two hundred dollars, excepting such actions where Justices of the Peace, Municipal and Police Courts, now have original jurisdiction, and excepting actions of replevin, trespass quare clausum fregit, ejectment, real actions, and actions against towns; and shall have original and concurrent jurisdiction with the Supreme Judicial Court in all actions above excepted, and also of all civil actions in which the debt or damage demanded exceeds the sum of two hundred dollars; and shall also have jurisdiction of all such offences, crimes and misdemeanors, as before the passage of this act were cognizable by the Court of Common Pleas; and shall also have appellant jurisdiction of all civil actions, and of all crimes and offences where an appeal may now, by law, be made to the Court of Common Pleas, from the judgment or sentence of any Justice of the Peace, or any Police or Municipal Court. And said District Court is hereby fully authorized to give judgment, award execution, administer necessary oaths and affirmations, and to do, execute, perform and order, whatever by the constitution and laws, it shall be their duty to do, or whatever the Court of Common Pleas, before the passing of this Act, were authorized to do, execute or perform.

SEC. 2. Be it further enacted, That the State be, and hereby is divided into three Districts, which shall be denominated the Western, Middle, and Eastern District. The counties of York, Cumberland, Franklin and Oxford shall constitute the Western District; the counties of Lincoln, Kennebec and Somerset shall constitute the Middle District; and the counties of Waldo, Piscataquis, Penobscot, Hancock and Washington shall constitute the Eastern District.—There shall be appointed and commissioned, in manner provided by the constitution, in and for the Western and Middle Districts, each, one person, and in and for the Eastern District, two persons, to be Justices of the District Court, and said Justices, so appointed and commissioned, shall have power to hold the District Courts, within any of the counties of the District for which the said Justice is appointed, at the times and places now established by law for holding the Court of Common Pleas. And whenever it shall so happen that no Justice of said Court shall attend at the time and place at which said Court, by law, or by previous adjournment, ought to have been held, the Sheriff of the county, or in his absence, the Clerk of the Court, may adjourn the said Court, from day to day, or to such time as a Justice of said District shall attend; and shall post public notification thereof, in writing on the door of the Court House. And in case the Justice or Justices of said Court shall be interested, or shall be otherwise disqualified to preside in the trial of any action which may be pending in said Court, the same shall be transferred to the Supreme Court.

SEC. 3. Be it further enacted, That all writs and processes issuing from the District Court, shall be in the name of the State, and shall bear test of one of the Justices of said Court; and such writs and processes shall be under the seal of said Court, and signed by the Clerk thereof, in the county where the same may be returnable; and shall have force and be obeyed and executed in every county in the State. And all original processes shall be summons, capias or attachment, and shall be served and returned in the same way and manner as is now provided by law for the service and return of similar processes; and the form of all processes and executions shall be so far altered and changed as to conform to the provisions of this Act.

SEC. 4. Be it further enacted, That any party aggrieved at the judgment of any District Court in any personal action wherein any issue has been joined, in which the debt or damage demanded shall exceed two hundred dollars, and in any action of replevin, or action of trespass quare clausum fregit, ejectment, or real action, or action against a town, may appeal therefrom to the next Supreme Judicial Court to be holden within and for the county where such judgment may be rendered; and the party so appealing, before such appeal be allowed, shall recognize with sufficient surety or sureties to the adverse party, in a reasonable sum, to prosecute his appeal and to pay all such costs as may arise in any such suit, after such appeal. And when any such appeal in any personal action, except actions of trespass quare clausum fregit, replevin, ejectment, or real actions, and actions against towns, shall be made by any plaintiff, and he shall not recover more than two hundred dollars debt or damage, he shall not recover any costs after such appeal; but the defendant shall recover his costs on such appeal, against the plaintiff, and shall have a separate judgment therefor; and in case such appeal was made by the defendant, and the debt or damages recovered in the District Court, shall not be reduced, the plaintiff shall be entitled to recover double costs on the appeal, unless the Justice before whom the trial in the District Court was had, shall certify that there was just and reasonable cause for such appeal, [illegible] of the appellant shall [illegible] Supreme Judicial Court, the same Court may [illegible] consistent, render judgment in such action, according to the provisions of this Act.

SEC. 5. Be it further enacted, That all [illegible] heard and determined by any of said District Courts, direction of judgment shall be entered in writing in a summary mode, and being presented to the Court before the adjournment thereof, if conformable to the truth of the case, shall be allowed and signed by the presiding Justice of said Court, and thereupon all further proceedings shall be stayed; and the party making such exceptions shall enter such action at the Supreme Judicial Court, at the next term thereof for the same County, and shall produce there all the papers, as in case of appeal. And the Supreme Judicial Court shall have cognizance thereof, and consider and determine the same in the same manner as they are authorized to do in respect to actions originally commenced and entered in said Court, and shall render judgment thereon, or may grant a new trial at the bar of said Court, as law and justice may require. And when any party alleging exceptions as aforesaid, shall fail to enter the action at the first succeeding term of the Supreme Judicial Court for the same county, and complaint thereof shall be made by the adverse party; or whenever the Court shall determine that any exceptions, so made as aforesaid, are frivolous and intended only for delay, the same Court shall award double costs of that Court against the party making such exceptions, and increase of damages by adding to the same, interest thereon to the time of final judgment. And if any person charged with any crime, offence or misdemeanor in the District Court shall be aggrieved by any opinion, direction or judgment of said Court in any matter of law, he may allege exceptions thereto, in the same manner and the same proceedings shall be had, as is provided, in the fifth section of this Act; and the person making the exceptions shall enter into recognizance with sureties, as the Court shall direct, to enter his appeal at the Supreme Judicial Court at the next term thereof in the said county and produce all papers in the case—and the exceptions being so entered, the Supreme Judicial Court shall have cognizance thereof, and may enter judgment or grant a new trial at the bar of said Court, or remand the same to the District Court, as justice may require; and if the person so excepting shall fail to enter his appeal, and to produce all papers as aforesaid, the Supreme Judicial Court may sentence such person to such punishment as the District Court might have inflicted, or adjudge the recognizance forfeited, or both, as the case may require.

SEC. 6. Be it further enacted, That the Supreme Judicial Court shall have original and concurrent jurisdiction, with the District Court, of all actions of replevin, trespass quare clausum fregit, of ejectment, or real actions, of all actions against towns, and also of all personal actions where the debt or damage demanded exceed the sum of two hundred dollars, arising within the counties of this State respectively.—And when any personal action, excepting actions of replevin, trespass quare clausum fregit, ejectment, or real actions, and actions against towns, shall be commenced in the Supreme Judicial Court, and the Plaintiff shall not recover the sum of two hundred dollars debt or damage, he shall recover no costs, unless the presiding Justice, in the trial of said action, shall certify and allow the same.

SEC. 7. Be it further enacted, That the District Court shall have power at the term when judgment in any action, of which said Court has final jurisdiction, is rendered, or at any subsequent term, on motion or petition, if said motion or petition be filed within one year from the rendition of such judgment, after giving due notice thereof to the adverse party, to grant a new trial of any such action, for any cause for which by the common law a new trial may be granted, or when, upon due consideration and examination, it shall appear to said Court, that justice has not been done between the parties, upon such terms and conditions as the same Court may deem reasonable: Provided, That when there have been two verdicts of a jury in the same action, in favor of the same party, a new trial shall not be granted. And said Court shall have power from time to time, to make and establish all such rules for the entry of actions, filing pleas in abatement, and demurrers to declarations, for the orderly and well conducting of the business thereof, as may be deemed proper, and which shall not be repugnant to the laws of this State.

SEC. 8. Be it further enacted, That the Grand Jury, now required to attend the Court of Common Pleas in the respective counties, and one or two Traverse Juries, shall be required to attend the District Court, holden within the respective counties, as the Court may direct, in the same manner, and under the same penalties that they are now holden by law to attend the Court of Common Pleas; and shall thereafter give their attendance on such days of each term, as shall by the District Court, in each county respectively, be directed; and writs of venire facias shall issue accordingly.

SEC. 9. Be it further enacted, That all actions, suits, matters and things which may be pending in the Court of Common Pleas, and all writs, executions, warrants, recognizances, and processes, returnable to, and which would have had day therein, had not this Act been passed, shall, after this Act shall take effect, be returnable to, have day in, and be fully acted upon, by the District Court, created by this Act, in the respective districts and counties where the same may be pending or are returnable. And all parties, jurors, witnesses and others who would have been held to appear at the Court of Common Pleas then next to be holden after this Act shall take effect, shall be holden to appear at the next District Court in the respective counties; and said District Court, in the respective districts, shall have full power and authority to grant any execution to carry into effect any judgment rendered in the Court of Common Pleas, in the same manner, as said Common Pleas might, had not this Act been passed.

SEC. 10. Be it further enacted, That each of the Justices of the District Court, shall, during his continuance in office, receive a salary of twelve hundred dollars a year, which annual sum shall be allowed and paid to each of the Justices of said Court, out of the Treasury of the State, in equal quarterly payments.

SEC. 11. Be it further enacted, That the respective Clerk of the Courts in the several counties shall be subjected to the duties and liabilities now imposed upon them by the Statutes establishing a Court of Common Pleas.

SEC. 12. Be it further enacted, That an Act passed February fourth, one thousand eight hundred and twenty-two, entitled "An Act to establish a Court of Common Pleas;" also the first, second and third sections of an Act passed on the eleventh day of March, one thousand eight hundred and thirty-five, entitled "An Act to alter and amend the several acts and laws for the administration of Justice," and all other Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby repealed.

SEC. 13. Be it further enacted, That this Act shall take effect and be in force from and after the first day of April next.—Provided however, that Judges of the District Courts may be appointed and commissioned at any time after this Act shall be approved by the Governor. [Approved February 23, 1839.

AN ACT regulating the fees for Justices writs.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That for any Justice writ hereafter made by any Justice of the Peace, Attorney or Counsellor at Law, or any other person, and for any writ made returnable to any Police or Municipal Court, the price shall be fifty-seven cents, and no more—And any Justice of the Peace, Police or Municipal Judge who shall allow any sum greater than that, in any action tried or defaulted before them, to the plaintiff or plaintiffs, shall forfeit and pay to the defendant or defendants a sum not less than five, nor more than ten dollars, to be recovered in an action of debt, before any Court of competent jurisdiction to try and determine the same,—and any Attorney or Counsellor at Law or any other person who shall charge or take of any defendant or defendants any sum greater than fifty-seven cents aforesaid, for any writ aforesaid; any sum settled before trial shall pay not less than five dollars nor more than ten dollars, to be recovered in action of debt to the use and in the name of the defendant or defendants, before any Court of competent jurisdiction to try and determine the same.

SECT. 2. Be it further enacted, That all Acts and parts of Acts, inconsistent with the provisions of this Act, be and the same are hereby repealed. [Approved by the Governor, February 23, 1839.]

AN ACT additional to "an Act for the due regulation of Weights and Measures."

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That the standard of Weights recently furnished by the United States be adopted and hereafter used, as the standard of weights for this State, instead of the weights formerly used as the State standards; and that the measures adopted by the United States as Standard Measures, when furnished this State, shall be adopted and used as the Standard Measures of this State.

SECT. 2. Be it further enacted, That it shall be the duty of the State Sealer of weights and measures, to cause all such weights of a smaller denomination than those furnished by the U. States, as are necessary to make a complete and perfect set, to be compared and regulated by the standard weights hereby adopted; and also to cause all such measures as are necessary to make a complete and perfect set, to be compared and regulated by the standard which may be furnished by the United States.

SECT. 3. Be it further enacted, That the State Sealer of weights and measures is hereby authorized and directed to procure, at the expense of the State, a suitable Gold Standard balance for ascertaining the [illegible] of which, together with the weights and measures, to be kept at the State House, and to be used only for the trying and regulating other weights and measures with the State Standard.

SECT. 4. Be it further enacted, That it shall be the duty of the several County Treasurers, at the expense of their respective counties, before the first day of July next and once in every ten years afterwards, to have their County standard of weights compared, proved and sealed by the State Standard of weights and shall be the duty of the Treasurers of the several towns within the State, at the expense of their respective towns, within one year after the first day of July next and once in every ten years afterwards, to have their standard weights compared, proved and sealed by the State Standard, or by the standard of the county wherein such town shall be situated.

SECT. 5. Be it further enacted, That all Acts and parts of Acts, inconsistent with the provisions of this Act, be and the same are hereby repealed. [Approved by the Governor, March 2, 1839.]

AN ADDITIONAL ACT relating to trespasses on the Public Lands.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That all actions for trespass committed on the lands belonging to the State, or to the Commonwealth of Massachusetts or to the two States in common, may be commenced and prosecuted to final judgment in any county in the State, any law or usage to the contrary notwithstanding, and this Act shall be in force from and after its approval by the Governor. [Approved by the Governor, March 4, 1839.]

AN ACT relating to Divorces.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That in all cases of libel for divorce from the bonds of matrimony now pending or hereafter to be instituted, either party shall have a right to a trial by a jury of the County provided they or either of them shall so elect; but in case neither party shall so elect, then the issue shall be tried by the Judge who may hold the Court.—and in case the Court or jury shall find the facts alleged in the libel to be proved the same being sufficient by the laws of this State to authorize a divorce, the Court shall thereupon decree a divorce of the parties as prayed for; and the Justices of the Supreme Judicial Court are hereby vested with discretionary power to grant a new trial in all cases of divorce, whenever they shall judge it to be reasonable, and where the parties have not lived together since the first trial, upon the application of the party aggrieved by the judgment in the former trial, on such terms and conditions as to said Justices may seem equitable and just: Provided however, that but one new trial shall be granted for the same cause, and that no application for such new trial shall be sustained after a lapse of three years from the final termination of the first trial. [Approved by the Governor, March 4, 1839.]

AN ACT ceding to the United States the jurisdiction of a certain tract of land, for the purpose of erecting a Light House thereon.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That there be, and hereby is ceded to the United States, jurisdiction of two acres of land off the westerly end of Bear Island, so called, being one of the Cranberry Islands, at the mouth of Mount Desert harbor, conveyed to the said United States by William Moore, by his deed dated the seventeenth August, eighteen hundred and thirty-eight, for the purpose of erecting a Light House, and any other buildings, which may be found expedient, by the Government of the United States, thereon.

SECT. 2. Be it further enacted, That said State shall have concurrent jurisdiction with the United States, in and over the territory, described in this Act, and buildings, when erected, so far as that all civil and military processes, issued under the authority of this State, or any officer thereof, may be executed on any part of said premises, or in any buildings that may be erected thereon, in the same manner, as if the jurisdiction had not been ceded, as aforesaid. [Approved by the Governor, March 4, 1839.]

AN ACT to regulate the Inspection and Packing of Clams.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That from and after the passage of this Act, the Governor, with the advice of Council, is hereby authorized and directed, to appoint and commission, during his pleasure, in each city, town and plantation in this State, where clams are packed for transportation, one or more persons, as Inspectors of Clams who shall be well skilled in the quality of the same, and who shall give bonds in the sum of two hundred dollars, to the Treasurer of the city, town or plantation, for which he shall have been appointed.

SECT. 2. Be it further enacted, That all clams packed for exportation, shall be shelled, and well struck with salt, before freezing, and preserved free from taint and damage, and shall be packed in barrels or half barrels; each barrel to contain at least two hundred pounds of clams, and thirty pounds of good salt, and each half barrel to contain at least one hundred pounds of clams, and fifteen pounds of good salt; and said barrels and half barrels, after being packed and headed up, shall be branded as follows, viz, those of the best quality, dug in the proper season, and saved free from taint and frost, "Clams No. 1," those which remain after the best have been selected and which are free from damage shall be branded "Clams No. 2," and the Inspector shall also brand in legible letters, on the head of each and every barrel or half barrel, in which clams are packed, or repacked, the number of pounds in such casks, the initials of his christian name, with his surname at length, the name of the city, town or plantation, for which he is appointed, and the word *Maine*; and if any person shall sell, or export within or from this State any tainted, or damaged clams, he, or they, shall forfeit and pay, for each and every barrel so sold, or exported five dollars, and for each and every half barrel two dollars and fifty cents.

SECT. 3. Be it further enacted, That if any shelled clams, packed in barrels or half barrels, shall be put on board any boat, vessel, or carriage of conveyance within this State, with intent to sell, or export the same, unless said clams shall have been inspected, and the casks containing the same shall have been branded agreeably to the provisions of this Act, it shall be lawful for any Justice of the Peace, in the same county, upon complaint thereof, made to him, to issue his warrant to the Sheriff, or his deputy, or, to any constable of the city, town, or plantation where such boat, vessel, or carriage may be, requiring them respectively to seize and secure said clams, and carry the same to the Inspector nearest the place, where such boat, vessel, or carriage may be, and such Inspector is hereby authorized and required, to open, inspect, repack and brand the same in the same manner, as is prescribed in the second section of this Act, and it shall be lawful for said Inspector to detain said clams, until the expenses of inspection, packing, coopering, and all other charges arising from such seizure shall be paid.

SECT. 4. Be it further enacted, That if the Inspector, shall brand any cask, the contents of which he has not inspected, packed, sailed, and coopered, according to the true intent and meaning of this Act, or, if he shall permit other persons to use his brand, in violation, or evasion thereof, he, or they so offending, shall forfeit and pay for each and every cask so branded, the sum of five dollars.

SECT. 5. Be it further enacted, That all penalties, and forfeitures recovered by virtue of this Act, shall be recovered by action of debt, in the name of the city, town or plantation, one moiety thereof to the use of the city, town or plantation, where the offence may be committed, and the other moiety to him or them, who shall sue for the same.

SECT. 6. Be it further enacted, That the Inspector shall be paid for inspecting and branding each and every cask of clams, as directed by this Act, as follows, viz. for each barrel, ten cents, and for each half barrel six cents, exclusive of the [illegible] and expense of packing, and coopering. And the fees for inspecting shall be paid by the purchaser, and the expense of packing and coopering shall be paid by the seller. [Approved by the Governor, March 7, 1839.]

An act to alter the times of holding the Supreme Judicial Court in the counties of Somerset, Penobscot, Washington, Hancock and Waldo within this State.

Section 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That the term of the Supreme Court, which before the passage of this act, was by law to be holden at Norridgewock, within and for the county of Somerset, on the second Tuesday, next after the fourth Tuesday of May, shall be holden in each year, on the third Tuesday, next after the fourth Tuesday of May; and the term of the same court, hereinafter required by law to be holden in the same county on the last Tuesday of September, shall be holden there annually on the last Tuesday but one of September. And that the same Court shall be held annually at Bangor, within and for the County of Penobscot, on the fifth Tuesday, next after the fourth Tuesday of May, instead of the third Tuesday next after the fourth Tuesday of May, as heretofore provided. And at Machias, within and for the county of Washington, in each year, on the sixth Tuesday next after the fourth Tuesday of May, instead of the fourth Tuesday of May, as heretofore provided.—And at Ellsworth, within and for the county of Hancock, in each year, on the seventh Tuesday next after the fourth Tuesday of May, instead of the fifth Tuesday next after the fourth Tuesday of May, as heretofore provided. And at Belfast within and for the county of Waldo, in each year, on the eighth Tuesday next after the fourth Tuesday of May, instead of the sixth Tuesday next after the fourth Tuesday of May, as heretofore provided. And all suits and processes, now pending in said Court, in said Counties, and all recognizances, writs and processes returnable thereto, and which by law would have had day in, or be heard and tried at the respective terms of said Court if this act had not been passed, shall have day in, and be heard and tried, in their proper counties, at the terms of said court by this act established.

Section 2. Be it further enacted, That the Tuesday of the month, in which the terms aforesaid are respectively to be holden, may in all judicial proceedings, be expressed and designated, by such Tuesday of the month, as will be the Tuesday of the month, on which the said court is to be holden.

Section 3 Be it further enacted, That this act shall take effect and be in force from and after its approval by the Governor.

Approved March 7, 1839.

AN ACT in addition to an Act to regulate the Salmon, Shad and Alewive Fishery in the River St. Croix and its branches.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That any person may take Salmon, Shad and Alewives in the American Waters of the river St Croix with any net, seine, spear or in weirs between sunrise on Monday and sunrise on Saturday of each week, without incurring any of the penalties, specified in the first section of the Act to which this is additional.

SECT. 2. Be it further enacted, That there shall be a good and sufficient fish way made and kept open, round, through or over every mill dam across said river, and all its branches, where said fish were ever known to pass, by the owners or occupants of the mills on said river, which shall be six feet wide and two and a half feet deep, and kept open at all times between the fifteenth day of May and the twenty-fifth day of September in each year, and if any owner or occupant of such mill or dam as aforesaid, shall neglect or refuse to make such fish way as herein directed, he shall forfeit two hundred dollars for each neglect or refusal

SEC. 3 Be it further enacted, That the fourth section, and so much of the first section of the Act to which this is additional as is inconsistent with this act, be and the same are hereby repealed.

SECT. 4. Be it further enacted, That this Act shall take effect from and after its approval by the Governor. [Approved by the Governor, March 7, 1839.]

AN ACT regulating Judicial Process and Proceedings.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That from and after the passage of this Act, no writ of certificate shall issue from the Clerk of the Supreme Court in any other of the United States, that there is a criminal cause pending in said Court, and that a person or persons residing in this State are supposed to be a material witness in such cause, or in behalf of such State or the persons prosecuting therein; and that any Justice of the Peace in the County where such necessary witness may reside, on application being made to him, shall on the back of such certificate endorse a summons requiring such witness to appear and attend the Court where such cause may be pending, and that any person so summoned and having tendered him a sum equal to twelve cents for every mile, computed from the place of such witness's abode to the place where the trial may be, and one dollar a day for each day, at the end of every day for such witness's attendance at the place of trial, and such witness his reasonable excuse to the contrary, shall neglect or refuse to appear and attend said Court and testify as aforesaid, that then such person so neglecting and refusing shall forfeit and pay the sum of three hundred dollars, to be recovered in action on the case, for the use of any person who shall first sue for the same in any Court of competent jurisdiction, within the County where such subpoena shall be in whole, or in part executed. And shall also be liable to pay a sum equal to which any person may sustain in consequence of such neglect. [Approved by the Governor, March 7, 1839.]

AN ACT establishing the salaries of the Register of Probate for the County of Penobscot.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That the Judge of Probate for the County of Penobscot be and the same is hereby established at [illegible] per year; and the salary of the Register of Probate for said county be, and the same hereby is established at one hundred and twenty-five dollars per year. [Approved by the Governor, March 7, 1839.]

AN ACT requiring Toll Bridges which may be covered, to be suitably lighted.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That Toll Bridges which are now built or which may hereafter be built within this State and which may hereafter be, in whole or in part covered, at all seasons of the year, when toll shall be demanded for the passage of such bridge, be suitably lighted with not less than one sufficient light to every fifty feet of said bridge, covered, commencing with the first fifty minutes after sunset and continued until the close of each evening.

SECT. 2. Be it further enacted, That any corporation which has been, or may hereafter be duly authorized to erect a bridge within this State, with authority to demand and receive toll for the passage of said bridge; and does demand and receive toll, which bridge is in whole, or in part covered, and which is suffered by neglect or refuse to comply with the requirements of the first section of this act, shall forfeit and pay the sum of three dollars for each evening they shall neglect or refuse to be lighted as aforesaid, to be recovered in an action on the case, for the use of any person who shall first sue for the same in any Court of competent jurisdiction, within the County where such bridge shall be in whole, or in part located. And shall also be liable to pay a sum equal to which any person may sustain in consequence of such neglect. [Approved by the Governor, March 7, 1839.]

AN ACT constituting Calais the shire town of the County of Washington.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That from and after the first Tuesday of December, in any year of our Lord one thousand eight hundred and forty, Calais, in the county of Washington be, and hereby is, made the shire town of said county, and the terms of the Supreme Judicial Court of Common Pleas, and the County Commissioners now or hereafter established, held for said county, shall be held at Calais.

SECT. 2. Be it further enacted, That it shall be made the duty of the County Commissioners previously to said first Tuesday of December, at said Calais, and at the expense of said county, to provide suitable buildings, offices and accommodations for the holding of said Courts; for the deposit and safe keeping of the records, documents and papers pertaining to the public offices, and also for the transaction of the business of the respective departments; and also a suitable jail for the safe keeping of such persons as may be

s, calling said meetings, in the following
Shall all the Judicial Courts and county
the County of Washington be located at
oad of Machias, as they now are?" And
shall give in their ballots with the words
Yay" on that question; And it shall be the
Secretary of State seasonably to furnish
men of each town and the Assessors of each
in said county, with one printed copy of
nd a suitable number of blank returns.
2. Be it further enacted, That the twelfth
this Act shall take effect and be in force
ssage hereof. [Approved by the Govern-
12, 1839.]

relating to Days of Grace on commercial
paper in certain cases.

acted by the Senate and House of Repre-
in Legislature assembled, That in all cases
s of exchange, drafts or promissory notes,
d at any bank, or left at any bank for collec-
fall due on the fourth day of July (that be-
st day of grace,) the same shall be payable
y preceding; and in case of non payment,
protested on such preceding day; Provided
the fourth day of July happens on Mon-
ills of exchange, drafts, or promissory notes,
payable, and may be protested for non pay-
the Tuesday following said fourth day of
pproved by the Governor, March 12, 1839.]

additional to an Act to regulate the inspec-
tion of Beef and Pork.

n 1. Be it enacted by the Senate and House
sentatives in Legislature assembled, That
n or persons packing Beef under the super-
the Inspector General or either of his depu-
reserve for *smoking, jerking* or other pur-
following parts or pieces viz. The round so
ing that part of the leg cut from the hind
out to the edge-bone, and the neck and chines
re quarter cut as is provided by the present
n Law

2. Be it further enacted, That the said beef
ed shall be at the control and disposition of
r or packers either for consumption or ex-
in Hogsheads or such other packages as they
ect.

3. Be it further enacted, That the fees of
ector on said beef so reserved shall be fixed
ts for each and every two hundred pounds.

4. Be it further enacted, That all Acts or
Acts inconsistent with the provisions of this
nd the same hereby are repealed. [Approved
overnor, March 12, 1839.]

T additional to an Act relating to the Passa-
maquoddy Tribe of Indians.

ON 1. Be it enacted by the Senate and House
esentatives in Legislature assembled, That
nt or Agents of the Passamaquoddy Tribe of
be, and hereby are, authorized to sell and
el, to the best advantage, either at public or
ale, of timber and grass from township num-
on the St. Croix River, usually called the
ownship, to the amount of one thousand dol-
nually.

2. Be it further enacted, That it shall be
of said Agent or Agents, to retain a lien upon
per and grass so cut, until the amount due for
e thereon is paid.

3. Be it further enacted, That it shall be the
said agent or agents, to furnish the said tribe
ans, in the months of April and May annually,
potatoes and other seeds, and implements of
dry and labor, as may be necessary for their
ural purposes, not exceeding in value two
d dollars, and he shall render a certified ac-
o the Legislature, of the quantity of each arti-
delivered, and shall also procure a certificate
by two of the principal merchants of Eastport
ie, that the prices charged for said articles,
e cash market value of the same at the time
very.

4. Be it further enacted, That the said
r agents are hereby authorized and directed to
Governor of said tribe, upon requisition made
r usual mode and form, the sum of three hun-
dollars, in money, annually, in sums not exceed-
ntyfive dollars per month, for the use of the
eed poor of said tribe.

5. Be it further enacted, That it shall be
ty of said agent or agents, to purchase with
Boston or New York, annually, in the months
vember or December, for the use of said tribe,
be delivered to them at Eastport or Pleasant
in equal proportions, according to the number
h family, after the first day of January in each
wentyfive barrels of superfine flour, four barrels
r pork, four hundred pounds of hog's lard, and
ch Indian corn as will warrant, and the invoice
livery of said merchandize, shall be certified as
ided in section third.

6. Be it further enacted, That the agent or
aforesaid, shall be entitled to a commission of
er cent. for disposing of and collecting the
t of sales of lumber and grass, and a commis-
f five per cent. on all moneys disbursed by him
n, for the purchase and distribution of seeds
erchandize, as provided by this Act, and no
Provided however, That if it become neces-
r said agent or agents to proceed to said town-
for the purpose of securing of timber cut by
sers, or for surveying of timber, then, and in
ase, he shall be entitled to receive three dollars
y so long as he shall actually be employed, in
r such service.

7. Be it further enacted, That inasmuch as
id tribe have received from the hands of the
the full amount due them from him for the year
ousand eight hundred and thirtynine, in advance;
efore, the sum of one thousand dollars be, and
eby appropriated, to be paid to the agent of said
from the Treasury of the State, for the purposes
e Act; but the articles of merchandize set forth
fifth section of this Act, shall not be delivered
after the first day of January next.

8. Be it further enacted, That if at any
the said agent or agents shall have money in his
ir hands belonging to said tribe exceeding one
ed dollars, he or they shall deposit the same in
one of the banks in the county of Washington,
h rate of interest as may be agreed upon, until
ed for the purposes of this act; and it shall be
uty of the said agent or agents, to transmit his
ir accounts to the Legislature annually, for ap-
and adjustment; and the amount of commis-
and expenses mentioned in the sixth section of
ct, shall be allowed and paid from the Treasury
e State.

9. Be it further enacted, That all acts and
of acts inconsistent with this act, be, and are
y repealed. [Approved by the Governor, March
39.]

ACT additional to an Act concerning Stud
Horses.

ection 1. Be it enacted by the Senate and House
epresentatives in Legislature assembled, That
wner or keeper of any stud horse kept for the
mares, shall publish in every notice or handbill
he may publish, or put up, giving notice of said
, the receipt of the city, town or plantation
surer to whom the tax on said horse shall have
paid,

ct. 2. Be it further enacted, That whenever
wner or keeper of any stud horse that is kept for
se of and put to mares shall refuse to pay the
n said horse required by law, said horse shall be
in lieu thereof and shall be taken and sold by the
surer or Collector of the city, town or plantation
which said horse shall be owned or kept and so
h of the money arising from the sale of said horse
ld be necessary appropriated to the payment of
tax and expenses of sale, and the overplus, if any,
to the owner of said horse. [Approved by the
ernor, March 13, 1839.]

N ACT concerning the mortgage of personal
property.

ECTION 1. Be it enacted by the Senate and House
Representatives in Legislature assembled, That no
rtgage of personal property hereafter made where
debt thereby secured amounts to more than the
of thirty dollars, shall be valid against any other
son than the parties thereto, unless possession of
mortgaged property be delivered to, and retained
the mortgagee, or unless the mortgage be record-
by the clerk of the town, city or plantation where
mortgagor resides.

SECT. 2. Be it further enacted, That nothing con-
ned in the preceding section shall avoid or defeat
contract of bottomry or respondentia, nor any
nsfer, assignment, or hypothecation of any ship or
sels, at sea or abroad, if the mortgagee shall take
session of such ship or goods, as soon as may be
r the arrival thereof within this State.

SECT. 3. Be it further enacted, That the said clerk,
on the payment of his fees, shall record all such
rtgages of personal property that shall be delivered
him, in a book to be kept for that purpose, noting
said book and also on the mortgage, the time when
same is received, and any such mortgage shall be
nsidered as recorded at the time when it is left for
purpose in the clerk's office, and the fees for re-
rding such mortgages, and for all other services re-
ing thereto, shall be the same as are allowed to

AN ADDITIONAL ACT relating to Highways.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That in all cases where lands the title to which is in the State of Maine, are in the occupancy or possession of any person or persons, or corporation whatsoever, they shall be liable to be assessed by the proper authorities of plantations, towns and counties, for the support and building of highways, laid out through the plantation, town and county, in which they are situate; and the right, title and interest of said person, persons or corporations, holding them in occupancy or possession, shall be liable to be sold in the same manner, for the payment of highway taxes assessed on the same, as the lands of persons owned in fee simple are now liable; and the person or persons purchasing the same, shall be entitled to receive from the State a deed or deeds of the same, upon complying with the terms of contract by which the occupant or possessor was allowed such occupancy or possession.

SECT. 2. Be it enacted further, That the deed of the officer selling said lands to the purchaser thereof, shall be the evidence upon which the Land Agent or any person thereto legally authorized, shall convey to said purchaser the title of the State to the same, upon said purchasers paying to said State all sums of money due from said occupant or possessor for said land so sold.

SECT. 3. Be it further enacted, That all acts or parts of acts inconsistent with this act, be and the same are hereby repealed. [Approved by the Governor, March 14, 1839.]

AN ACT to protect Family Burying Grounds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That if any person or number of persons have now appropriated a piece of land for a place of burial and fenced the same, or shall hereafter appropriate for such purpose and fence the same, the same shall be exempted from attachment and levy of execution and unalienable by the proprietor or proprietors and their heirs at law, and indivisable among said proprietors or their said heirs, so long as the same shall be kept fenced and occupied as a burying ground unless all interested therein consent to an alienation or division thereof. Provided that the piece of land so appropriated shall not exceed one half of an acre, and the person or persons who have or shall have so appropriated it shall cause a written description thereof under his, her or their hands, attested by two disinterested witnesses to be recorded in the Registry of Deeds in the county where the land is situated. [Approved by the Governor, March 14, 1839.]

AN ACT to establish the salary of Judge and Register of Probate in the county of Franklin.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That the salary of Judge and Register of Probate in and for the county of Franklin be and hereby is established at the following sums per annum, for Judge, one hundred dollars, and for the Register, one hundred and fifty dollars, to commence on the tenth day of May in the year of our Lord one thousand eight hundred and thirtyeight.

SECT. 2. Be it further enacted, That said Judge and Register shall exercise all the powers, be subject to all the restrictions and receive their compensation from said county in the same manner as is provided by law for the several counties in this State. [Approved by the Governor, March 14, 1839.]

AN ACT authorizing the Indians of the Penobscot Tribe to elect their Governor and Lieutenant Governor.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That the Indians of the Penobscot Tribe be and hereby are authorized to elect from among their own number a Governor and Lieutenant Governor who shall hold their respective offices for the term of two years and until their successors are chosen, and the persons so elected shall be vested with all the powers and privileges appertaining by usage and custom among said tribe to their respective offices; provided the same are not repugnant to the Laws and Constitution of this State.

SECT. 2. Be it further enacted, That it shall be the duty of the Selectmen of the town of Orono on or before the first Monday in August next to make and prepare a list of all the male members of said tribe of twentyone years of age and upwards who are hereby declared and constituted the legal voters of said tribe, and said voters shall give in their "viva voce" votes for Governor and Lieutenant Governor as follows, to wit, the said Selectmen on the first Monday of August next at Indian Old Town the residence of said tribe shall call over the names of said voters [illegible] persons for whom being so called shall vote for Governor and Lieutenant Governor, and the person having a majority of all the votes of said tribe for Governor and the person having a like majority for Lieutenant Governor shall be declared by said Selectmen to be duly elected to those offices respectively—and on the first Monday of August in each alternate year thereafterwards like proceedings shall be had as are provided in this section. And said Selectmen are hereby empowered to adjourn their said meeting from time to time to carry into effect the object of this section, provided they shall not adjourn more than twice, and each adjournment shall not be more than one week from the previous meeting.

SECT. 3. Be it further enacted, That this act shall be submitted to said tribe for their adoption or rejection. And it shall be the duty of said Selectmen on the first Monday of August next at said Indian Old Town to take the "viva voce" votes of said tribe on the adoption or rejection of this act. And if a majority of all the voters of said tribe shall vote in favor of this act, then the same shall be in force in relation to said tribe and they shall proceed to vote for Governor and Lieutenant Governor as is provided in the second section of this act, and if there shall not be a majority as aforesaid in favor of this act then the three first sections of the same shall be void.

SECT. 4. Be it further enacted, That the Selectmen aforesaid shall receive as compensation for services under this act the same pay per day as is allowed them for official services by said town of Orono. Said compensation to be paid them out of the fund of said tribe. [Approved by the Governor, March 16, 1839.]

AN ACT establishing the County of Aroostook.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That from and after the first day of May next, all that part of the State lying north of the north line of the fourth Range of townships north of the Lottery townships, and east of the dividing line between Ranges five and six west of the east line of the State, and of a line from the north termination of the said dividing line and running the same course to the north line of the State, be and is hereby constituted and made a county by the name of Aroostook, whereof Houlton shall be the shire town; And the inhabitants of the before described territory, from and after the first day of May next, shall have and possess, use and enjoy, all the powers, rights, privileges and immunities, and be subject to all the duties which by the Constitution and Laws of the State are granted to and imposed upon the inhabitants of other counties.

SECT. 2. Be it further enacted, That the several towns and plantations, their officers and agents, and the owners of lands in unorganized townships, in the county of Aroostook, shall pay to the Treasurers of the counties of Penobscot and Washington respectively, in the same manner as they have paid previously to the passing of this act, their due proportion of all taxes and assessments, granted, apportioned or assessed, prior to the passing of this act. And the Treasurers for the counties of Penobscot and Washington shall, respectively, have the same power and authority, to proceed with, and collect from all such towns and plantations, their officers and agents, and from the owners of lands in such unorganized townships, their due proportion of all such taxes, granted, apportioned and assessed as aforesaid.

SECT. 3. Be it further enacted, That from and after the first day of May next, there shall be held annually, at Houlton, within and for said county of Aroostook, two terms of the District Court, to wit: on the third Tuesday of January and the first Tuesday of July: "And after the said first day of May next, there shall be held annually, at Houlton, on the third Tuesday of January, and on the first Tuesday of July, a court of County Commissioners. And the Justices of the District Court, and the County Commissioners of said county of Aroostook, shall have, exercise and possess, all the powers, and do and perform all the duties which Justices of said court, and the County Commissioners of counties can have, exercise and perform in other counties.

SECT. 4. Be it further enacted, That from and after the first day of May next, there shall be a Court of Probate in and for the county of Aroostook, to be held at such times and places, as shall be designated by the Judge of said court, and by law, and the Judge of said court shall have the same powers, exercise the same duties [illegible] and perform the same duties as Judges of Probate have, exercise and perform in other counties.

SECT. 5. Be it further enacted, That from and after the first day of May next, the Supreme Judicial Court to be held within and for the county of Washington, shall be holden for said counties of Washington and Aroostook, and shall from time to time, have trial of all actions, civil and criminal, the cause whereof has arisen or shall arise within the body of the county of Aroostook and to determine all other matters and things, which have arisen or may arise within the body of said county of Aroostook; and shall have the same judgment thereupon, as might have been had by the Supreme Judicial Courts held within and for the counties of Penobscot and Washington, had not this act passed.

SECT. 6. Be it further enacted, That from and after the first day of May next all actions, suits, matters and things at that time commenced or pending in the Court of Common Pleas or District Court for the county of Washington, wherein any question to real estate in the county of Aroostook is to be tried, or wherein the plaintiff or plaintiffs, petitioner or petitioners, one or more of them reside within the county of Aroostook, and all recognizances, indictments, writs of scire facias, and suits of which the State is a party, and the adverse party lives in the county of Aroostook, commenced or pending before the first day of May next, in the Court of Common Pleas or District Court in the county of Washington, or in the county of Penobscot, shall be transferred to be heard and tried, and have day in the District Court to be held in and for the county of Aroostook, and all papers and documents, belonging to such actions, suits, recognizances, indictments and matters filed in the offices of the clerks of the Courts of Common Pleas in Washington and Penobscot counties, shall be by the said clerks delivered over to the clerk of the Judicial Courts in the county, for the county of Aroostook, and all and every petition, process, matter or thing, at the same time pending in the Courts of the County Commissioners in the counties of Washington and Penobscot, the subject matter of which shall be within the county of Aroostook, shall be proceeded upon and finally settled in the county of Aroostook.

SECT. 7. Be it further enacted, That all Justices of the Peace and of the Quorum, and all persons appointed to qualify civil officers, and all Coroners, duly qualified to act as such within and for the counties of Penobscot and Washington, who shall when this act takes effect reside in the county of Aroostook, be and they are hereby authorized and empowered to act as such within and for the county of Aroostook, during the term for which they were appointed and commissioned.

SECT. 8. Be it further enacted, That the respective Justices of the Peace for the counties of Penobscot and Washington, who shall reside in the county of Aroostook when this act shall take effect, be and they are hereby authorized to issue executions upon all judgments and recognizances recovered and taken before them respectively, and to perform and finish all matters and things commenced or pending before them respectively, in their said official capacity, in the same manner as they might have done had not this act passed.

SECT. 9. Be it further enacted, That the first County Treasurer and Register of Deeds for the county of Aroostook, shall be chosen in the same manner and with the same tenure of office as is provided by law when vacancies happen by death or resignation.

SECT. 10. Be it further enacted, That until a Register of Deeds shall be appointed and qualified, from and after the first day of May next, all deeds and conveyances of real estate, and other documents entitled to Registry in the office of Register of Deeds for the county of Aroostook, may be recorded in the Register of Deeds' office in the North Registry District in the county of Washington, and such registry shall have the same effect as though recorded in the Register of Deeds' office for the county of Aroostook.

SECT. 11. Be it further enacted, That all officers within and for the county of Aroostook, having authority to commit any prisoner or debtor to jail, shall be authorized and required, for the term of five years from and after the passing of this act, if so long required by the county of Aroostook, to commit such prisoner or debtor to the jail in the county of Penobscot or in the county of Washington, in the same manner as like officers of said last mentioned counties were by law authorized and required to do before the passing of this act. And the keepers of said jails are hereby authorized and required to receive and detain in their custody all such prisoners and debtors; and all persons so committed to jail, in either of the counties of Penobscot or Washington, from the county of Aroostook, shall be entitled to the same rights and privileges as though they lived or had their home in the county where committed as aforesaid. Provided however, that the county of Aroostook shall be liable to pay to the respective counties of Penobscot and Washington, all expenses or damages which may or shall arise or accrue from such commitment.

SECT. 12. Be it further enacted, That the Governor and Council, previous to the first day of May next, are authorized and empowered to nominate and appoint a [illegible] Clerk of the Judicial Courts, Judge of Probate, Register of Probate, County Commissioners and all other civil officers, that are or may be legal for them to appoint, for said county, who may enter upon the duties of their respective offices from and after the first day of May next. [Approved by the Governor, March 16, 1839.]

AN ACT additional to the several Acts for the better regulation and management of the Penobscot Tribe of Indians.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That it be and hereby is made the duty of the Agent of the Penobscot Tribe of Indians to cause to be surveyed and set off into house and garden lots, the public lands belonging to said tribe, situated on the point of Old Town Island, excepting so much of said land as may be necessary for a common and streets, and excepting also lots for a church, school house, public hall, store house, and burial ground. And said agent shall assign to each person or family of said tribe applying for the same one of said lots so surveyed and set off, for said person or family's exclusive use and occupation. And in assigning said lots the said agent shall give to each individual or family as far as practicable the lot or lots on which he or they may have made improvements. And the lots so assigned by said Agent shall be held and enjoyed by the person or family to whom they are allotted during the pleasure of the Legislature. Provided it shall not be in the power of any Indian to sell or convey his lot or improvements on the same to any person other than some member of said tribe and the purchaser in such case shall hold the same alike subject to the will of the Legislature. [Approved by the Governor, March 16, 1839.]

AN ACT to repeal certain Acts giving a Bounty on Wheat and Corn.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That an act approved March twentyninth eighteen hundred and thirtyseven entitled "an Act to encourage the culture of Wheat within the State;" Also an act approved March twentyfirst eighteen hundred and thirtyeight entitled "an Act additional to an act to encourage the culture of Wheat within the State, and giving a bounty on Corn," be and hereby are repealed; Provided however, that all bounties given by either of said acts, which are now due, shall be paid according to the provisions of said acts. [Approved by the Governor, March 19, 1839.]

AN ACT in addition to an Act to abolish the Court of Common Pleas and establish District Courts.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That all Traverse Jurors, who, on the first day of April next, shall have been drawn, pursuant to venires issued by order of the Court of Common Pleas, to serve at any term of said Court to have been holden subsequent to that day, are hereby required to attend and serve as Traverse Jurors at the District Court, to be holden at the time and place for which they were drawn as aforesaid. And the said District Court shall proceed to empanel and employ said jurors in the same manner and to the same effect as if they had been drawn in pursuance to the act to which this is additional.

SECT. 2. Be it further enacted, That the District Judge of Judges are authorized to adopt seals of the Court for the respective Districts.

SECT. 3. Be it further enacted, That this act shall take effect and be in force, from and after its approval by the Governor. [Approved by the Governor, March 20, 1839.]

AN ACT additional to an Act to organize, govern and discipline the Militia of this State.

SECTION. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That it shall be the duty of the Surgeon and Surgeon's mate, if there be but one of them in commission, sometime in the month of March in each year, to post up at one or more public places in each town, in their regiment, a notice in writing that they will attend at such times as shall be stated in such notice, between the tenth and twentieth days of April in each year, and at such places to be designated in such notice, not less than three in each regiment as will best accommodate the soldiers in such regiment, to receive and examine such applications, as may be made to them for certificates of exemption from military duty on account of bodily infirmity. And it shall be the duty of such Surgeon and Surgeon's mate to attend at the times and places stated in such notice, and [illegible] examine such applicants as may be made to them, which shall be in writing, stating especially the cause or infirmity, under oath, and to make a certificate thereof into the book of records of said infirmity, and if they shall find upon such examination, that the person so applying, is unable to perform

they shall give to the person so applying a certificate thereof, which being recorded in the Orderly book of the Company in which such applicant would otherwise be liable to do military duty, shall exempt him from the performance of military duty for such term as they may think such disability will continue, not exceeding one year. Provided, That if such Surgeon and Surgeon's mate shall be of opinion that the infirmity of any person is incurable and of such a nature that he can never be able to perform military duty, they may give to such person a certificate thereof, which being recorded as aforesaid, shall absolutely exempt such person from military duty.

SECT. 2. Be it further enacted, That no certificate shall be granted by such Surgeon or Surgeon's mate at any other time or place than those designated in such notice, unless the person so applying shall satisfy such Surgeon or Surgeon's mate by his statement under oath in his said application, that such infirmity has arisen since the times so appointed, or that he had no notice or was unable to attend at either of such times. And it shall be the duty of the Surgeon and Surgeon's mate to file with the Adjutant of the regiment, as soon as practicable, all the original applications made to them, with a minute thereon whether a certificate was granted or not, and if granted, for what period.

SECT 3. Be it further enacted, That if any Surgeon or Surgeon's mate shall demand or receive of any non commissioned officer or private, any fee or reward for any certificate or examination, he shall forfeit and pay a fine equal to four times the amount of the fee so received or demanded, to be recovered in an action of debt before any Court of competent jurisdiction, in the name of the commanding officer of the Company in which such person so paying or causing to be paid such fee would be liable to do duty, to be appropriated in the same manner as other military fines.

SECT. 4. Be it further enacted, That the thirtyfourth section of the act to which this act is additional, be and the same is hereby repealed. [Approved by the Governor, March 20, 1839.]

AN ACT additional to "an Act concerning Corporations," passed on the sixteenth day of February, one thousand eight hundred and thirtysix.

SECTION. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That all Corporations, whose charters shall expire by their own limitation, or be annulled by forfeiture or otherwise, shall be continued bodies corporate for three years from such time, for the purposes of prosecuting and defending suits by or against them, of gradually settling and closing their concerns, of disposing of their property, and of dividing their Capital Stock, and for no other purpose.

SECT. 2. Be it further enacted, That when the charter of any Corporation shall expire or be annulled, any creditor or stockholder of such Corporation may apply to the Supreme Judicial Court, which shall have jurisdiction in Chancery of such application and may appoint one or more persons as Trustees to take charge of the estate and effects of such Corporation, with power to collect the debts and property of the same, and to prosecute and defend in the name thereof all necessary suits in law.

SECT. 3. Be it further enacted, That the stockholders of all Corporations, excepting Banking Corporations and Corporations for literary and benevolent purposes, created since the seventeenth day of March, eighteen hundred and thirtyone, shall be subject, as it regards debts hereafter to be contracted by such Corporations, to all the liabilities imposed on such stockholders by the act to which this is additional. [Approved by the Governor, March 21, 1839.]

AN ACT additional to an Act regulating towns, town meetings and the choice of town officers, approved March nineteenth one thousand eight hundred and twentyone.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That in any town in this State where there shall not be ten freeholders, inhabitants of said town, when a majority of the freeholders of such town shall signify in writing their desire to have any matter or thing inserted in a warrant for calling a meeting, the Selectmen are hereby required to insert the same in the next warrant they shall issue for a meeting, or call a meeting for the express purpose of considering thereof—And in case the Selectmen of any town containing less than ten freeholders shall unreasonably deny to call a meeting upon any public occasion, a majority of the freeholders of such town may apply to a Justice of the Peace within and for the same county, who is hereby authorized and empowered to issue his warrant under his hand and seal directed to the Constable or Constables of the town, if any such there be, otherwise to any of the freeholders applying therefor, directing him or them to notify and warn the inhabitants qualified to vote in town affairs, to assemble at such time and place in the same town, as the said Justice in his said warrant shall direct, and for the purpose in the same warrant expressed; and the meeting so assembled shall be to all intents and purposes a legal meeting. [Approved by the Governor, March 22, 1839.]

AN ACT in relation to a State Library.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That the books now belonging to the State, or which shall be hereafter purchased, or received by the State, shall be collected and deposited in the South wing of the Capital in rooms number 3 and number 4, and constitute the State Library; excepting such books, as are now in the Senate Chamber, and may be retained therein by order of the Senate; or are in the Hall of the House of Representatives, and may be retained therein by order of said House; and said rooms shall be prepared and furnished for that purpose, by the Superintendent of the Public Buildings, under the direction of the Governor.

SECT. 2. Be it further enacted, That the Secretary of State shall be Librarian, and take charge of the Library, under such rules and regulations, as are hereinafter established, and cause a catalogue of said books to be prepared and kept; and said Librarian is hereby authorized to appoint an assistant, during the sessions of the Legislature, whose compensation shall not exceed that of an engrossing clerk.

SECT. 3. Be it further enacted, That all sums of money appropriated and unexpended, or which shall hereafter be appropriated, by the Legislature, for the purchase of books, shall be expended by the Secretary of State, under the direction of the Governor.

SECT. 4. Be it further enacted, That books may be taken from the Library by the Governor, and Members of the Council, Members of the Senate, and of the House of Representatives, Judges of the Judicial Courts, Secretary of State, Treasurer of the State, Adjutant General, Attorney General, and Land Agent; but no books, so taken, shall at any time be carried out of the town of Augusta. The Librarian shall cause to be kept a proper register of all issues, and return books, as the same shall be made. No book taken from the Library as aforesaid, shall be retained more than three weeks; and all books shall be returned to the Library, on, or before the first day of January annually; and every person shall be answerable for all damage done by him to any book, and, in case of the loss of a volume belonging to a set, the person, answerable for the same, shall procure a new volume, or pay the value of the set in money.

SECT. 5. Be it further enacted, That the Governor be, and hereby is authorized to transmit to the Governors of the several States, three copies of all Laws and Resolves, published by order of the Legislature, one copy of all public Documents printed, and bound by the like order, and one copy of the printed decisions of the Judicial Courts of the State.

SECT. 6. Be it further enacted, That the Commissioners that revise the Laws of this State shall have the right to take such books, from the State Library, as they may require while in discharge of their duty, and that the same may be carried out of the town of Augusta as may be most convenient to said Commissioners, for the purposes aforesaid: "provided however" That the said books shall be returned to the State Library in a time not exceeding three months from the taking the same. [Approved by the Governor, March 22, 1839.]

AN ACT to regulate the manufacture and inspection of Lime and Lime Casks.

SECT. 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That no Lime manufactured within this State, shall be sold or exposed to sale, or shipped on board of any vessel, in casks, but such only as is well burnt and pure, and contained in good and sufficient casks, made of sound and thoroughly seasoned staves and heading, with at least ten good and strong hoops on each cask, well driven and secured with nails, and duly inspected; the staves of said casks to be made of sawed or rift timber, and not less than thirty inches in length, and not less than one half of an inch thick on the thinnest edge; and each of the heads to be not less than three fourths of an inch thick, and well coozed in; and each hoop to be not less than one inch wide in the narrowest part; and each cask to be not less than twentysix and a half inches in length between the heads, and measured in the clear [illegible] and made in a workmanlike manner [illegible]

SECT. 2. Be it further enacted, That each [illegible] Cask shall be branded on the outside of the [illegible] with the first letter of the christian name, and with

of. And any person who shall sell or expose to sale, or purchase any Lime Casks not conformable to law, shall incur a penalty of twenty cents for each cask so sold or exposed to sale, or purchased, to be recovered by an action of debt, in any court of competent jurisdiction, to the use of the person who may sue therefor, and a lien is hereby created on such Lime Casks, for the payment of said penalty and costs.

SECT. 3. Be it further enacted, That there shall be appointed and commissioned by the Governor, with the advice and consent of the Council, one suitable person as Inspector of Lime and Lime Casks, in each of the several towns in this State in which Lime is manufactured; and they shall be citizens of and resident in such town, and hold their offices for the term of four years, unless sooner removed by the Governor and Council; and each of said Inspectors shall, before he enters upon the duties of his office, be sworn faithfully to perform the same, and shall give bonds, with sufficient sureties, to the Treasurer of the county in which such Inspectors shall reside, for the faithful performance thereof, in the sums following, to wit: the Inspector in and for the town of Thomaston, in the sum of ten thousand dollars; the Inspectors in and for the towns of Warren and Camden, five thousand dollars each; and the Inspectors in and for each and every other town, two thousand dollars; each of which bonds shall be approved by the County Commissioners in and for the county in which such town is situated; and each of such Inspectors, when so qualified, shall have power to appoint in and for the town in which he resides, as many Deputy Inspectors as he shall judge necessary, for whose faithful conduct in the discharge of the duties of their respective offices, the Inspector appointing them shall be answerable; and shall take a bond with sufficient sureties from each of them to himself, in the sum of one thousand dollars; and said Deputies shall severally be sworn to the faithful discharge of their duty before they shall enter upon the same.

SECT. 4. Be it further enacted, That it shall be the duty of each of the Inspectors appointed by the Governor by virtue of this Act, either by himself or his Deputy, to inspect all Lime which shall be manufactured within the town wherein such Inspector or Inspectors reside, at the time the same shall be filled into casks, at the kiln where it is burnt; and to inspect the casks into which the same shall be put, and to see that the said Lime and Casks do, in all respects, conform to the provisions of this Act, and that the Casks are well filled with such Lime; and to brand each Cask, when so filled, on one head thereof, with the name of the town where such Lime was burnt, and the first letter of his christian name, and the surname at length of the Inspector or Deputy Inspector who inspected the same, and with the word "Inspected"; and if any such Inspector or Deputy Inspector, who shall so brand any Lime Cask, the contents of which he has not inspected, or shall brand any such Cask as aforesaid, which, or the contents of which, do not in all respects conform to the true intent and meaning of this Act, or shall permit any other person or persons to use his brands in violation or evasion thereof, every such Inspector or Deputy Inspector so offending, shall forfeit and pay the sum of one dollar for every Cask thus illegally branded by him or with his brands; and shall also be liable to pay all damages which any person may have sustained by reason of such neglect or misdoings, such damages to be recovered by such person by an action of the case in any court proper to try the same; which action, if the damages sustained be by reason of the neglect or misdoings of any Deputy, may be brought either against such Deputy or against the Inspector who shall have appointed him.

SECT. 5. Be it further enacted, That each Inspector or Deputy Inspector appointed by virtue of this act, shall be paid by the manufacturer or owner of said Lime, one mill for each Cask of Lime inspected and branded according to the provisions of this act, and two dollars and fifty cents for each day he shall be employed in the inspection thereof, and in that proportion for a less time; and each of the Inspectors appointed by the Governor and Council as aforesaid, shall be entitled to receive from any Deputy by him appointed, one mill for every Cask of Lime said Deputy shall inspect and brand as aforesaid.

SECT. 6. Be it further enacted, That if any person shall sell or expose to sale, or ship, or receive on board of any vessel, in Casks, any Lime other than such as shall be contained in Casks made as aforesaid, and having the aforesaid marks or brands of an Inspector or Deputy Inspector as required by this act respectively, the offender or offenders shall incur the penalty of one dollar for each Cask of Lime so illegally sold or offered for sale, or shipped, or received on board any vessel.

SECT. 7. Be it further enacted, That if after any Cask or Casks containing Lime, shall have been branded as required by this act, any person shall presume to shift the contents of such Cask or Casks, and put therein any other Lime, with a design to sell the same, such person so offending shall forfeit and pay the sum of one dollar for every Cask of Lime so shifted.

SECT. 8. Be it further enacted, That all penalties and forfeitures incurred by virtue of this act, shall be recovered by action of debt, by and for the use of any person or persons who shall sue therefor, and in any court competent to try the same.

SECT. 9. Be it further enacted, That where any judgment shall be recovered against any such Inspector or Deputy Inspector, for damages, penalties or forfeitures on account of any neglect or misdoings in his said office, and the execution which shall have issued thereon shall be returned unsatisfied, and the said judgment still remaining in full force, the judgment creditor shall be entitled to a certified copy of such Inspector or Deputy Inspector's bond, and shall have a right to commence and prosecute to final judgment, and for his own benefit, an action thereon in the name of the legal obligee in such bond, the writ being first endorsed by the party for whose benefit the suit is brought, or his Agent or Attorney, which endorser shall be answerable for all costs; and judgment, when for the defendant, shall accordingly be rendered against the party for whose benefit said action was brought.

SECT. 10. Be it further enacted, That when judgment is rendered on any bond as aforesaid, execution shall be awarded for the sum found due to the party for whose benefit said action was brought, and being part of the penalty forfeited. And any execution which shall issue on said judgment, shall express therein the name of the party for the use and benefit of whom the same was awarded; and if the execution shall be levied on any personal or real estate of the debtor, such levy shall inure to such party for his sole use and benefit, to every intent and purpose.

SECT. 11. Be it further enacted, That this act shall have effect and be in force from and after the first day of July next, when all laws now in force relating to the subject of this act, shall be repealed and cease to have effect, Provided, That any Inspector or Deputy Inspector to be appointed by virtue of this act, may be appointed and qualified in pursuance of the same, at any time from and after the passage thereof. [Approved by the Gov. March 22, 1839.]

AN ACT to limit the compensation of Sheriff in the County of Piscataquis.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That the compensation of Sheriff in and for the County of Piscataquis be and hereby is limited to the sum of three hundred and fifty dollars per annum, to commence on the tenth day of May, in the year of our Lord one thousand eight hundred and thirtynine.

SECT. 2. Be it further enacted, That the Sheriff of said County be and hereby is required to pay over to the Treasurer of said County (after deducting the aforesaid sum of three hundred and fifty dollars) all such surplus as the several Sheriffs in this State are required by law to pay over to their respective Counties. [Approved by the Gov. March 22, 1839.]

AN ACT additional to an Act for the preservation of Fish in the Penobscot waters, approved March 21, 1838.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That it shall and may be lawful for any person or persons to take any Fish in any of the Penobscot waters mentioned in the act to which this is additional, by means of nets, seins, or any other implements, apparatus or machinery whatever of the dimensions mentioned in said act, at all seasons of the year, except between sunrise on Saturday and sunrise on Monday in each week, and any person or persons who shall offend by taking Fish against the provisions of this act, shall be subject to the same penalties as is provided in said act to which this is additional.

SECT 2. Be it further enacted, That the gates of weirs mentioned in the ninth section of said act, shall be left open for the passage of Fish from sunrise on Saturday the seventh on Monday in each week in the year—instead of the time mentioned in said Section

SECT 3. Be it further enacted, That all weirs erected for the purpose of taking or destroying any of said Fish in said waters, shall be entirely removed or destroyed by the owner or occupant thereof on or before the twenty fifth day of July in each year, north of a line drawn from the south side of Sandy Point on the west side of Penobscot river, to the south side of the Town of Orland on the east side of said river.

SECT 4. Be it further enacted, That such parts of said act to which this is additional, as are inconsistent with the provisions of this act, be and the same are hereby repealed; reserving suits or prosecutions which have been commenced may be prosecuted to final judgment and execution [Approved by the Governor, March 23, 1839.]

AN ACT [illegible]

SECTION 1. [illegible]

SECT. 2. Be it further enacted, That it shall be the duty of the Surveyor General, whenever the Land Agent shall require him so to do, to examine any of the Public Lands for the purpose of detecting trespassers, and seizing timber cut by trespassers, and also to scale such timber cut on the Public Lands, under permits from the Land Agent, as may be required by the said Agent, from time to time, and to make a report of his doings to the Land Agent. [Approved by the Governor, March 23, 1839.]

AN ACT in addition to an Act providing for the government of the State Prison, and for punishment of Convicts.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That the Governor, with advice of Council, shall have power to and is hereby authorized, if they deem it necessary, to change the present organized volunteer Militia Company into a company of Riflemen, and to increase the number to sixty persons, subject to the same duties, liabilities, restrictions and penalties as the present company now are. [Approved by the Governor, March 23, 1839.]

AN ACT additional to "an Act respecting the offices and duties of the Attorney General and County Attornies.

SECTION 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, That the several County Attornies in this State shall receive each, an annual salary as follows:

For the County of York, three hundred dollars;
For the County of Cumberland, five hundred dollars;
For the County of Oxford, two hundred dollars;
For the County of Lincoln, three hundred and fifty dollars;
For the County of Kennebec, four hundred dollars;
For the County of Somerset, two hundred and seventy-five dollars;
For the County of Penobscot, six hundred dollars;
For the County of Hancock, two hundred dollars;
For the County of Waldo, two hundred dollars;
For the County of

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